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# **COMMISSION ON HUMAN RIGHTS**

## **REPORT ON THE FORTY-NINTH SESSION**

**(1 February-12 March 1993)**

**ECONOMIC AND SOCIAL COUNCIL**

**OFFICIAL RECORDS, 1993**

**SUPPLEMENT No. 3A**



**UNITED NATIONS**



**COMMISSION ON HUMAN RIGHTS**  
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# NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

The report of the Commission on Human Rights on its forty-ninth session has been issued as *Official Records of the Economic and Social Council, 1993, Supplement No. 3* (E/1993/23-E/CN.4/1993/122).

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UNITED NATIONS  
New York, 1993

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Annex I

ATTENDANCE

Members

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### Chile

Mr. Roberto Garretón, Mr. Ernesto Tironi\*, Mr. Hugo Cubillos\*,  
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Mr. Mostafa Alaee\*, Mr. Mohammad Ali Mottaghi-Nejad\*,  
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United Kingdom of Great Britain  
and Northern Ireland

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Mr. J. Harston\*\*, Mr. R. Fenn\*\*, Mr. D.I. Campbell\*\*, Mr. G. Hand\*\*,  
Mr. J.J. Rankin\*\*, Mr. F. Baker\*\*, Mr. G. Perry\*\*, Ms. N. Jackson\*\*,  
Ms. P.R. Walsh\*\*, Ms. A. Jennings\*\*, Mr. R.W. Gladwin\*\*

United States of America

Mr. Richard Schifter, Mr. Morris B. Abram\*, Mr. J. Kenneth Blackwell\*,  
Ms. Nancy Ely-Raphel\*\*, Mr. Clarke Rodgers, Jr.\*\*,  
Mr. Sheridan W. Bell, III\*\*, Ms. Lois A. Cecsarini\*\*,  
Mr. John R. Crook\*\*, Ms. Ramona Dunn\*\*, Mr. Peter Eicher\*\*,  
Mr. Gamal R. Graiss\*\*, Ms. Dina R. Hellerstein\*\*, Mr. Allan Jury\*\*,  
Ms. Elizabeth Kimber\*\*, Ms. Karen E. Krueger\*\*,  
Mr. Craig L. M. Kuehl\*\*, Mr. Bruce Malkin\*\*, Mr. Michael D. Scharf\*\*,  
Mr. James M. Shevis\*\*, Ms. Kathryn Nutt Skipper\*\*,  
Mr. Kevin K. Sullivan\*\*, Mr. Larry Taylor\*\*, Mr. Steven Wagenseil\*\*,  
Ms. Geraldine A. Ferraro\*\*, Mr. Merle Goldman\*\*, Ms. Nina Shea\*\*,  
Mr. David Weissbrodt\*\*, Mr. Victor Jackovich\*\*, Mr. David P. Stewart\*\*,  
Mr. David E. Birenbaum\*\*, Ms. Margaret Willingham\*\*

Uruguay

Mr. Miguel J. Berthet, Ms. Susana Rivero\*, Mr. Nelson Chabén\*

Venezuela

Mr. Horacio Arteaga, Ms. María Esperanza Ruesta\*,  
Ms. Marta Di Felice\*\*, Mr. Wilmer Méndez\*\*, Mr. Carlos Pestana\*\*

Zambia

Mr. Angel A. Mwenda

### States Members of the United Nations represented by observers

Afghanistan, Albania, Algeria, Armenia, Azerbaijan, Bahrain, Belarus, Belgium, Bhutan, Bolivia, Bosnia and Herzegovina, Brunei Darussalam, Cameroon, Côte d'Ivoire, Croatia, Democratic People's Republic of Korea, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Estonia, Ethiopia, Ghana, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Jamaica, Jordan, Kuwait, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Mongolia, Morocco, Mozambique, Myanmar, Nepal, New Zealand, Nicaragua, Norway, Oman, Panama, Papua New Guinea, Paraguay, Philippines, Qatar, Rwanda, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Swaziland, Sweden, Thailand, Turkey, Ukraine, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Yugoslavia, Zaire, Zimbabwe

### Non-member States represented by observers

Holy See, Switzerland

### United Nations

Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs, United Nations Compensation Commission, United Nations Transitional Authority in Cambodia

### United Nations bodies

Office of the United Nations High Commissioner for Refugees, United Nations Children's Fund, United Nations Conference on Trade and Development, United Nations Environment Programme, United Nations Interregional Crime and Justice Research Institute, United Nations Volunteers

### Specialized agencies

International Labour Organisation, World Health Organization, International Monetary Fund, United Nations Industrial Development Organization

### Intergovernmental organizations

Agence de coopération culturelle et technique, Commission of the European Communities, Commonwealth Secretariat, Council of Europe, International Organization for Migration, League of Arab States, Organization of African Unity, Organization of the Islamic Conference

### National liberation movements

African National Congress, Palestine, Pan Africanist Congress of Azania

### Other organizations

Independent Bureau for Humanitarian Issues, International Committee of the Red Cross

## Non-governmental organizations

### Category I

International Alliance of Women - Equal Rights, Equal Responsibilities, International Confederation of Free Trade Unions, International Council for Adult Education, International Council of Voluntary Agencies, International Council of Women, International Council on Social Welfare, International Federation of Red Cross and Red Crescent Societies, International Movement ATD Fourth World, International Youth and Student Movement for the United Nations, Inter-Parliamentary Union, Soroptimist International, Women's International Democratic Federation, World Confederation of Labour, World Federation of Democratic Youth, World Federation of Trade Unions, World Federation of United Nations Associations, World Muslim Congress, Zonta International

### Category II

African Association of Education for Development, Afro-Asian Peoples' Solidarity Organization, All Pakistan Women's Association, American Association of Jurists, American Association of Retired Persons, Amnesty International, Andean Commission of Jurists, Anglican Consultative Council, Anti-Slavery Society for the Protection of Human Rights, Arab Lawyers Union, Arab Organization for Human Rights, Associated Country Women of the World, Association for the Study of the World Refugee Problem, Baha'i International Community, Caritas Internationalis, CHANGE, Christian Democrat International, Commission for the Defence of Human Rights in Central America, Commission of the Churches on International Affairs of the World Council of Churches, Conference of European Churches, Coordinating Board of Jewish Organizations, Defence for Children International Movement, Development Innovations and Networks, Disabled People's International, Foundation for the Rights of the Family, France-Libertés: Fondation Danielle Mitterrand, Friends World Committee for Consultation, Human Rights Advocates, Human Rights Internet, International Abolitionist Federation, International Alert, International Association against Torture, International Association for Religious Freedom, International Association for the Defence of Religious Liberty, International Association of Democratic Lawyers, International Association of Educators for World Peace, International Association of Lions Clubs - Lions Club International, International Association of Penal Law, International Bar Association, International Catholic Child Bureau, International Centre of Sociological, Penal and Penitentiary Research and Studies, International Commission of Jurists, International Council of Environmental Law, International Council of Jewish Women, International Federation of Human Rights, International Federation of Social Workers, International Federation of University Women, International Federation of Women in Legal Careers, International Federation of Women Lawyers, International Federation on Ageing, International Federation Terre des Hommes, International Fellowship of Reconciliation, International Human Rights Law Group, International Indian Treaty Council, International Institute of Higher Studies in Criminal Sciences, International Institute of Humanitarian Law, International League for Human Rights, International League for the Rights and Liberation of Peoples, International Movement for Fraternal Union among Races and Peoples, International Organization for the Development of Freedom of Education, International Organization for the Elimination of All Forms of Racial Discrimination, International Organization of Indigenous Resource

Development, International Save the Children Alliance, International Service for Human Rights, International Union of Lawyers, International Union of Young Christian Democrats, International Work Group for Indigenous Affairs, Inuit Circumpolar Conference, Islamic African Relief Agency, Latin American Federation of Associations of Relatives of Disappeared Detainees, Law Association for Asia and the Pacific, Lawyers Committee for Human Rights, Liberal International, Lutheran World Federation, National Aboriginal and Islander Legal Services Secretariat, OXFAM, Pan-Pacific and South-East Asia Women's Association, Pathways to Peace, Pax Christi, Pax Romana, Refugee Policy Group, Salvation Army, Service, Justice and Peace in Latin America, Sierra Club Legal Defense Fund, Inc., Socialist International, Union of Arab Jurists, War Amputations of Canada, War Resisters International, Women's International League for Peace and Freedom, Women's International Zionist Organization, World Alliance of Young Men's Christian Associations, World Association for World Federation, World Conference on Religion and Peace, World Federation for Mental Health, World Federation of Methodist Women, World Jewish Congress, World Movement of Mothers, World Society of Victimology, World Student Christian Federation, World Union of Catholic Women's Organizations, World University Service, World Vision International, World Young Women's Christian Association

#### Roster

African-American Society for Humanitarian Aid and Development, Article 19: the International Centre against Censorship, Asian Cultural Forum on Development, Centre Europe-Tiers Monde, Grand Council of the Crees (of Quebec), Habitat International Coalition, Indian Council of South America, International Educational Development, Inc., International Falcon Movement - Socialist Educational International, International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities, International Federation of ACAT (Action of Christians for the Abolition of Torture), International Federation of Pedestrians, International Federation of Rural Adult Catholic Movements, International Human Rights Internship Program, International Humanist and Ethical Union, International Immigrants Foundation, Inc., International Peace Bureau, International Pen, International Progress Organization, International Publishers Association, International Romani Union, International Studies Association, Liberation, Minority Rights Group, Movement Against Racism and for Friendship among Peoples, Nordic Saami Council, Planetary Citizens, Procedural Aspects of International Law Institute, Survival International, Third World Movement against the Exploitation of Women, World Alliance of Reformed Churches, World Association for the School as an Instrument of Peace, World Christian Life Community, World Islamic Call Society, World Organization against Torture, World Peace Council, World Social Prospects Association

## Annex II

### AGENDA

1. Election of officers.
2. Adoption of the agenda.
3. Organization of the work of the session.
4. Question of the violation of human rights in the occupied Arab territories, including Palestine.
5. Violations of human rights in southern Africa: report of the Ad Hoc Working Group of Experts.
6. Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist regime in South Africa.
7. Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights, including: problems related to the right to enjoy an adequate standard of living; foreign debt, economic adjustment policies and their effects on the full enjoyment of human rights and, in particular, on the implementation of the Declaration on the Right to Development.
8. Question of the realization of the right to development.
9. The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation.
10. Question of the human rights of all persons subjected to any form of detention or imprisonment, in particular:
  - (a) Torture and other cruel, inhuman or degrading treatment or punishment;
  - (b) Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
  - (c) Question of enforced or involuntary disappearances;
  - (d) Question of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

11. Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission:
  - (a) Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms;
  - (b) National institutions for the promotion and protection of human rights;
  - (c) Coordinating role of the Centre for Human Rights within the United Nations bodies and machinery dealing with the promotion and protection of human rights.
12. Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories, including:
  - (a) Question of human rights in Cyprus;
  - (b) Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided in Commission resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII): report of the Working Group on Situations established by Economic and Social Council resolution 1990/41 of 25 May 1990.
13. Measures to improve the situation and ensure the human rights and dignity of all migrant workers.
14. Human rights and scientific and technological developments.
15. Implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid.
16. Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination.
17. Status of the International Covenants on Human Rights.
18. Effective functioning of bodies established pursuant to United Nations human rights instruments.
19. Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its forty-fourth session.
20. Rights of persons belonging to national or ethnic, religious and linguistic minorities.
21. Advisory services in the field of human rights.
22. Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

23. Drafting of a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms.
24. Rights of the child, including:
  - (a) Status of the Convention on the Rights of the Child;
  - (b) Report of the Special Rapporteur on the sale of children;
  - (c) Programme of action for the elimination of the exploitation of child labour;
  - (d) Programme of action for the prevention of the sale of children, child prostitution and child pornography.
25. World Conference on Human Rights.
26. The role of youth in the promotion and protection of human rights, including the question of conscientious objection to military service.
27. Situation of human rights in the territory of the former Yugoslavia.
28. Commemoration of the International Year of the World's Indigenous People.
29. Draft provisional agenda for the fiftieth session of the Commission.
30. Report to the Economic and Social Council on the forty-ninth session of the Commission.

### Annex III

#### ADMINISTRATIVE AND PROGRAMME BUDGET IMPLICATIONS OF RESOLUTIONS ADOPTED BY THE COMMISSION AT ITS FORTY-NINTH SESSION

1. In the course of its forty-ninth session, the Commission on Human Rights adopted 12 resolutions that have financial implications for the 1992-1993 biennium. These resolutions relate to new mandates or existing mandates which have been significantly expanded in scope.

2. The Secretary-General, in compliance with regulation 13.1 of the Financial Regulations of the United Nations and rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, submitted statements on the administrative and programme budget implications of the 12 resolutions that have financial implications for the 1992-1993 biennium. These implications are summarized in the following table.

#### SUMMARY TABLE BY SECTION OF ADMINISTRATIVE AND PROGRAMME BUDGET IMPLICATIONS FOR THE BIENNIUM 1992-1993 OF RESOLUTIONS ADOPTED BY THE COMMISSION ON HUMAN RIGHTS AT ITS FORTY-NINTH SESSION

(United States dollars)

|                    | Section 28<br>Human rights | Section 41<br>Conference Services<br>Division, Geneva | Overall<br>total |
|--------------------|----------------------------|-------------------------------------------------------|------------------|
| <u>Resolutions</u> |                            |                                                       |                  |
| 1993/2             | 110 800                    | 75 000                                                | 185 800          |
| 1993/6             | 661 750                    |                                                       | 661 750          |
| 1993/7             | 274 400                    | 148 640                                               | 423 040          |
| 1993/19            | 44 556                     |                                                       | 44 556           |
| 1993/20            | 159 500                    |                                                       | 159 500          |
| 1993/36            | 63 100                     | 36 600                                                | 99 700           |
| 1993/45            | 214 500                    | 23 700                                                | 238 200          |
| 1993/60            | 77 500                     | 75 400                                                | 152 900          |
| 1993/74            | 718 000                    | 89 000                                                | 807 000          |
| 1993/85            | 83 700                     |                                                       | 83 700           |
| 1993/86            | 80 500                     |                                                       | 80 500           |
| 1993/95            | 49 600                     | 78 600                                                | 128 200          |
| TOTAL              | 2 537 906                  | 526 940                                               | 3 064 846        |

3. The Commission on Human Rights also approved 12 resolutions which are considered to be within the scope of perennial activities. Statements on administrative and programme budget implications are not submitted in respect of these resolutions as provisions have been made for existing Economic and Social Council mandates in section 28 (Human rights) of the approved programme budget for the biennium 1992-1993.

4. The resources required for the implementation of all resolutions adopted by the Commission at its forty-ninth session during the biennium 1994-1995 will be considered in the context of the proposed programme budget to be submitted to the General Assembly at its forty-eighth session.

Resolution 1993/2. Question of the violation of human rights in the occupied Arab Territories, including Palestine

A. Requests contained in the resolution

5. In paragraph 4 of resolution 1993/2 A, the Commission on Human Rights decided to appoint a special rapporteur with the following mandate:

(a) To investigate Israel's violations of the principles and bases of international law, international humanitarian law and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in the Palestinian territories occupied by Israel since 1967;

(b) To receive communications, to hear witnesses, and to use such modalities of procedure as he may deem necessary for his mandate;

(c) To report, with his conclusions and recommendations, to the Commission on Human Rights at its future sessions, until the end of the Israeli occupation of those territories.

B. Relationship of requests to programme of work

6. The activities referred to above fall under programme 35, Promotion and protection of human rights, subprogramme 1, Implementation of international instruments and procedures, the objectives of and the strategy for which are described in paragraphs 35.11 to 35.19 of the medium-term plan for the period 1992-1997 (A/45/6/Rev.1).

7. The following programme component and activities of section 28 (Human rights) of the programme budget for the biennium 1992-1993 would be directly affected by the activities referred to in the resolution.

Subprogramme 1. Implementation of international instruments and procedures

Activities: 1. International cooperation

- (a) Settlement of disputes, special missions, good offices, fact-finding, emergency and humanitarian relief services, legal services

- (i) Assisting special rapporteurs, representatives or other designees (thematic and country-oriented) dealing with human rights violations and investigations or fact-finding into reported situations and cases and reporting to the Commission on Human Rights or the General Assembly;

Output: (Country-oriented rapporteur) Preparation and submission of a report by the Special Rapporteur to the Commission on Human Rights.

C. Activities by which the requests would be implemented

8. Every year, until the termination of the mandate as specified in paragraph 4 (c) of resolution 1993/2 A, the Special Rapporteur will undertake three trips to Geneva, each for a period of five working days, in order to hold consultations at the Centre for Human Rights, to review documentation and other pertinent material received, to interview witnesses and to prepare his report to the Commission on Human Rights. He will again visit the Centre in February/March to present his report to the Commission. Also each year, the Special Rapporteur, accompanied by two staff members from the Centre, will carry out a field mission to the region for a period of up to 14 working days.

9. The substantive servicing of the Special Rapporteur includes the gathering and analysis of human rights materials related to alleged violations, as well as of pertinent legislation; the transmission of reported situations, incidents and cases to the Government of Israel, as well as correspondence with other Governments, intergovernmental and non-governmental organizations and individuals related thereto; the organization of hearings of witnesses, the transcription of testimonies and the preparation of reports to the Commission on Human Rights. Furthermore, in situ visits by the Special Rapporteur, with the participation of staff of the Centre, have to be prepared and carried out. Throughout the year, extensive oral consultations have to be held on behalf of the Special Rapporteur, on a regular basis, with representatives of interested Governments and non-governmental organizations.

10. Six work-months of temporary assistance at the P-3 level and four work-months at the General Service level will be required to assist the Special Rapporteur in the gathering of information, compilation and analysis of material and in the preparation and conduct of missions, as well as in the preparation of his reports to the Commission on Human Rights.

D. Modifications required in the programme of work

11. The programme of work approved for 1992-1993 will have to be modified in accordance with the above-mentioned mandate and servicing requirements.

E. Additional requirements at full cost

12. The estimated full cost of the above programme of work is itemized as follows:

I. Section 28

As of 1993 and each subsequent year until termination of the mandate

(US dollars)

Three round trips to Geneva of the Special Rapporteur for consultations at the Centre for Human Rights (5 working days each)

|                        |        |
|------------------------|--------|
| Travel and subsistence | 11 700 |
|------------------------|--------|

Field mission of the Special Rapporteur accompanied by two staff members of the Centre for Human Rights, September/October (14 working days)

|                                                  |       |
|--------------------------------------------------|-------|
| Travel and subsistence of the Special Rapporteur | 6 100 |
|--------------------------------------------------|-------|

|                                                    |        |
|----------------------------------------------------|--------|
| Travel and subsistence of two substantive officers | 10 000 |
|----------------------------------------------------|--------|

|                                                                                             |       |
|---------------------------------------------------------------------------------------------|-------|
| General operating expenses: local transport, communications and rental of office facilities | 1 500 |
|---------------------------------------------------------------------------------------------|-------|

One round trip to Geneva of the Special Rapporteur to present his report to the Commission on Human Rights February/March (5 working days)

|                        |       |
|------------------------|-------|
| Travel and subsistence | 3 900 |
|------------------------|-------|

General temporary assistance

|                                  |        |
|----------------------------------|--------|
| Six work-months at the P-3 level | 52 200 |
|----------------------------------|--------|

|                                           |        |
|-------------------------------------------|--------|
| Four work-months at General Service level | 25 400 |
|-------------------------------------------|--------|

|         |         |
|---------|---------|
| Total I | 110 800 |
|---------|---------|

-----

## II. Section 41

As of 1993 and each  
subsequent year until  
termination of the  
mandate

(US dollars)

One round trip of two interpreters to accompany  
the Special Rapporteur and two staff members of  
the Centre for Human Rights in connection with a  
field mission  
September/October (14 working days)

22 000

Translation of 300 pages of text (Arabic)  
into one language

53 000

Total II

-----  
75 000  
-----

### F. Additional resources required

13. The relevant costs to be financed under section 28 (Human rights) are estimated at \$110,800 for 1993 and each subsequent year until the termination of the mandate.

14. The additional resources of \$110,800 required for the implementation of the activities to be undertaken by the Special Rapporteur in 1993 are requested under the provisions governing the use of the contingency fund, which are outlined below. The requirements for 1994 onwards will be considered in the context of the proposed programme budget for the relevant biennia.

15. The relevant costs of two interpreters to accompany the Special Rapporteur, covering salary, travel and subsistence costs are estimated at \$22,000. In addition, the cost of an estimated 300 pages of translation (Arabic), is estimated at \$53,000. These costs would normally be financed under section 41 of the regular budget (Conference Services Division, Geneva).

### G. Contingency fund

16. It will be recalled that, under the budget process approved by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under the same process, if additional expenditures are proposed that exceed resources available within the contingency fund, such additional expenditures can only be included in the budget through redeployment of resources from low priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred until a later biennium.

17. No activities are proposed for termination, deferral, curtailment or modification in the programme budget for the biennium 1992-1993, in order to provide additional resources for the work programme of the Centre for Human Rights and the Special Rapporteur on the question of the violation of human rights in the occupied territories. Therefore, should the additional expenditures associated with the activities of the Special Rapporteur exceed the level of resources available from the contingency fund, some of the activities to be undertaken in 1993 would have to be postponed, as provided for in the criteria governing the use of the contingency fund approved by the General Assembly in the annex to its resolution 42/211 of 21 December 1987.

Resolution 1993/6. Situation of human rights in Cambodia

A. Requests contained in the resolution

18. In paragraph 2 of resolution 1993/6, the Commission on Human Rights requested the Secretary-General to ensure a continued United Nations human rights presence in Cambodia after the expiry of the mandate of the United Nations Transitional Authority in Cambodia (UNTAC), inter alia, through the operational presence of the Centre for Human Rights, in order to:

(a) Manage the implementation of educational and technical assistance and advisory services programmes and to ensure their continuation;

(b) Assist the Government of Cambodia established after the election, at its request, in meeting its obligations under the human rights instruments recently acceded to, including the preparation of reports to the relevant monitoring committees;

(c) Provide support to bona fide human rights groups in Cambodia;

(d) Contribute to the creation and/or strengthening of national institutions for the promotion and protection of human rights;

(e) Continue to assist with the drafting and implementation of legislation to promote and protect human rights;

(f) Continue to assist with the training of persons responsible for the administration of justice.

19. In paragraph 6 of the resolution, the Commission requested the Secretary-General to appoint a special representative:

(a) To maintain contact with the Government and people of Cambodia;

(b) To guide and coordinate the United Nations human rights presence in Cambodia;

(c) To assist the Government in the promotion and protection of human rights;

(d) To report to the General Assembly at its forty-eighth session and the Commission on Human Rights at its fiftieth session under the agenda item entitled "Advisory services in the field of human rights".

B. Relationship of the request to the programme of work

20. The activities referred to above fall under programme 35, Promotion and protection of human rights, subprogramme 3, Advisory services and technical cooperation, the objectives of and strategy for which are described in paragraphs 35.30 to 35.40 of the medium-term plan for the period 1992-1997 (A/45/6/Rev.1).

21. The following programme component and activities of section 28 (Human rights) of the approved programme budget for the biennium 1992-1993 would be directly affected by the activities referred to in the resolution:

Subprogramme 3. Advisory services and technical cooperation

Activities: 1. International cooperation

- (a) Special missions, good offices, fact-finding: assistance will be given to experts appointed by the Secretary-General at the request of the Commission on Human Rights to conduct missions combining fact-finding and good offices to assist Governments through direct contacts in implementing international human rights standards.

5. Operational activities

- (a) Advisory services on: implementation of international human rights standards and norms at the national level including specific human rights issues, such as electoral laws, constitutional reforms, elaboration of civil and criminal codes, the phenomenon of enforced or involuntary disappearances, torture, human rights education, reporting obligations.

C. Activities by which the requests would be implemented

22. The implementation of the above-mentioned requests would require the establishment of the following structure of the Centre for Human Rights in Cambodia:

I. STAFF REQUIRED

- (a) Special Representative of the Secretary-General
- (b) Head of the Centre for Human Rights field office in Cambodia

One post at the P-5 level.

Responsible for planning and organizing the work of the field office; overseeing the implementation of the human rights programmes in Cambodia; managing the Trust Fund for a Human Rights Education Programme in Cambodia; providing assistance to the Government and national authorities, as well as non-governmental organizations, in the promotion and protection of human rights; assisting the Special Representative in maintaining contact with the Government and people of Cambodia.

(c) Administrative officer

One post at the P-4 level.

Responsible for all administrative and financial matters of the field office in Cambodia; assists the Head of the office in the management and administration of staff, projects and the Trust Fund for a Human Rights Education Programme in Cambodia.

(d) Assistant to the Special Representative

One post at the P-4 level.

Responsible for collecting all information relating to the human rights situation in Cambodia, as well as on technical assistance activities to promote human rights and advisory services provided to national authorities. On the basis of that information, prepares reports on:

(a) the activities carried out in Cambodia to promote and protect human rights, and (b) the human rights situation in Cambodia, for the use of the Special Representative and the Centre for Human Rights.

(e) Education, training and information

One post at the P-4 level.

Two posts at the P-3 level.

The human rights officer in charge of this programme (P-4) will be responsible for: substantive and organizational aspects of training of government officials; members of the judiciary, lawyers, police, prison and military personnel, members of non-governmental organizations; human rights education at primary, secondary and university level; preparation of publications targeted at the Cambodian audience; coordination of translation of existing United Nations publications and international human rights instruments; production of radio and video information material; contacts with the press.

The two human rights officers (P-3 level) will assist in implementing the above-mentioned programme.

(f) Legal assistance

One post at the P-4 level and one at the P-3 level.

The human rights officer in charge of this programme (P-4 level) will be responsible for providing and/or facilitating technical assistance in the development of legislation and the establishment of functioning of national institutions for the promotion and protection of human rights; assisting the Government in meeting its international obligations, in particular the preparation of periodic reports to United Nations bodies established on the basis of treaties to which Cambodia is a party; providing substantive and technical assistance and support to Cambodian human rights associations, as well as to Cambodian branches of international non-governmental organizations.

One human rights officer (P-3 level) will assist in the implementation of the above-mentioned programme.

(g) Secretariat support

Five posts at the General Service level (international).

(h) Interpreters, drivers, secretaries

Six posts at the General Service level (local).

(i) Desk officer (based in Geneva)

One post at the P-3 level.

Responsible for: back-stopping and coordinating organizational and substantive aspects of the above-mentioned activities; the preparation of the reports of the Special Representative to the General Assembly and the Commission on Human Rights; organizing the missions of the Special Representative to Cambodia, New York and Geneva (in collaboration with the field office).

(j) Secretarial support

One post at the General Service level (Geneva).

II. GENERAL TEMPORARY ASSISTANCE

Five work-months at the General Service level.

23. General temporary assistance will be required to replace General Service staff on annual or sick leave, and provide support during peak periods.

III. TRAVEL OF THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL

24. The Special Representative will not be permanently based in Phnom Penh. It is therefore necessary to envisage at least two trips per year to Phnom Penh, some trips within the Asian region and two trips to New York (to report to the General Assembly) and two trips to Geneva (to report to the Commission on Human Rights).

IV. TRAVEL OF THE STAFF IN THE COUNTRY

25. The effective performance of the activities described above will require travel of the staff throughout Cambodia, at least once a month. In estimating the costs involved, it should be noted that many of the Cambodian provinces can only be reached by helicopter.

V. EQUIPMENT, RENTAL OF OFFICE SPACE, MISCELLANEOUS, SUPPLIES

26. Rental charges and operational expenses of one office in Phnom Penh, office supplies and electronic and communications equipment. As indicated in section F below, some of these resources may be provided by UNTAC.

- 20 computers, including software, UPS and printers,
- 2 lap top computers,
- 3 photocopiers,
- 2 fax machines (national, international),
- 6 Motorola portable telephones,
- 1 Motorola radio base station,
- 20 Motorola handheld radios,
- 2 televisions and VCRs,
- 1 television widescreen projection,
- 2 generators, 3000 Kw approximately,
- Adequate office furniture, etc.

#### VI. TRANSPORT

##### VEHICLES

- 1 Toyota Cressida saloon
- 2 Toyota Corolla saloons
- 6 Landcruisers 4x4
- 2 Landcruiser pickups 4x4

##### D. Modifications required in the programme of work

27. The programme of work approved for the biennium 1992-1993 will be modified in accordance with the above requirements.

##### E. Additional requirements at full cost

28. The estimated cost of the above programme of work is itemized as follows:

##### Temporary posts

The salary data shown below for all posts are based on costs corresponding to five months (August-December 1993)

|                                                                                    | (US dollars) |
|------------------------------------------------------------------------------------|--------------|
| One post at the P-5 level (Phnom Penh)                                             | 41 200       |
| Four posts at the P-4 level (Phnom Penh)                                           | 139 500      |
| Three posts at the P-3 level (Phnom Penh)                                          | 83 100       |
| One post at the P-3 level (Geneva)                                                 | 43 700       |
| Five posts at the General Service level<br>(internationally recruited, Phnom Penh) | 18 800       |
| Six posts at the General Service level (Phnom Penh)                                | 3 250        |
| One post at the General Service level (Geneva)                                     | 31 200       |

##### General temporary assistance

|                                                               |       |
|---------------------------------------------------------------|-------|
| Five work-months at the General Service level<br>(Phnom Penh) | 1 100 |
|---------------------------------------------------------------|-------|

##### Rental and operational expenses of one office in Phnom Penh, office supplies, communications and computer equipment

80 000

(US dollars)

Purchase/rental and maintenance of vehicles 100 000

Miscellaneous expenses 20 000

Travel of Special Representative

Two round trips to Headquarters to report  
to the General Assembly (5 working days)  
Travel and subsistence 7 700

Two round trips to Geneva to report to the  
Commission on Human Rights (5 working days)  
Travel and subsistence 6 300

Two round trips to Phnom Penh  
(5 working days)  
Travel and subsistence 12 000

One round trip in the region for  
consultations (5 working days)  
Travel and subsistence 4 400

Travel of the staff within Cambodia

Travel of Professional staff  
Travel and subsistence 20 000

International travel of staff based in Geneva  
and Phnom Penh

Two round trips Geneva-Phnom Penh-Geneva to  
establish the link between the Centre for  
Human Rights and its Cambodian office and to  
brief field staff on objectives, programmes  
and mandate entrusted to the Centre for  
Human Rights (2 months each)  
Travel and subsistence 27 500

Two round trips Geneva-Phnom Penh-Geneva to  
accompany the Special Representative for  
consultations, meetings, follow-up  
activities (1 week each)  
Travel and subsistence 10 000

Two round trips Phnom Penh-Geneva-Phnom Penh  
for consultations, meetings, follow-up  
activities (1 week each)  
Travel and subsistence 12 000

Total 661 750  
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#### F. Additional resources required

29. The relevant costs to be financed under section 28 (Human rights) are estimated at \$661,750 for 1993.

30. The additional resources of \$661,750 required for 1993 are requested under the provisions governing the use of the contingency fund, which are outlined below. The requirements for 1994 onwards will be considered in the context of the proposed programme budget for the relevant biennia.

31. At the time of writing of the present statement, it was not possible to ascertain whether a number of resources allocated to the human rights component of UNTAC (such as office space, computer equipment, transportation and other miscellaneous expenditures) could be made available to the office of the Centre for Human Rights in Cambodia after the expiry of the mandate of UNTAC. Accordingly, the figures given in section E above reflect additional requirements at full cost corresponding to all activities considered under the programme of work. In the event that some resources could be made available to the office of the Centre for Human Rights in Cambodia, the estimated costs associated with the operational presence of the Centre for Human Rights in Cambodia would be adjusted and the present statement would be revised. It should also be noted that the salary costs for Professional staff in Cambodia have been calculated on the assumption that all staff will be installed in Phnom Penh, i.e. excluding subsistence allowance payable to personnel on mission. Should the actual contractual status differ from that envisaged in the present statement, the level of additional resources required would be modified accordingly.

#### G. Contingency fund

32. It will be recalled that, under the budget process approved by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under the same process, if additional expenditures are proposed that exceed resources available within the contingency fund, such additional expenditures can only be included in the budget through redeployment of resources from low priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred until a later biennium.

33. No activities are proposed for termination, deferral, curtailment or modification in the programme budget for the biennium 1992-1993, in order to provide additional resources for the work programme of the Centre for Human Rights and the Special Representative in Cambodia. Therefore, should the additional expenditures associated with the activities of the Special Representative exceed the level of resources available from the contingency fund, some of the activities to be undertaken in 1993 would have to be postponed, as provided for in the criteria governing the use of the contingency fund approved by the General Assembly in the annex to its resolution 42/211 of 21 December 1987.

Resolution 1993/7. Situation of human rights in the territory of the former Yugoslavia

Resolution 1993/8. Rape and abuse of women in the  
territory of the former Yugoslavia

A. Requests contained in the resolutions

34. In paragraph 32 of resolution 1993/7, the Commission on Human Rights decided to extend the mandate of the Special Rapporteur for one year, and requested that he continue his efforts, especially in carrying out such further missions in Serbia and other parts of the former Yugoslavia as he deemed necessary, and that he continue to submit periodic reports as the situation warrants on the implementation of resolution 1993/7 and all relevant resolutions of the Commission concerning the former Yugoslavia, and requested the Secretary-General to continue to make the reports of the Special Rapporteur available to the Security Council.

35. In paragraph 33 of resolution 1993/7, the Commission on Human Rights urged all parties to cooperate in determining the fate of thousands of missing persons, and requested the Special Rapporteur, in consultation with the Working Group on Enforced or Involuntary Disappearances and the International Committee of the Red Cross, to develop proposals for a mechanism to address the subject of disappearances in the former Yugoslavia.

36. In paragraph 34 of resolution 1993/7, the Commission requested the Secretary-General to take steps to ensure the full and effective cooperation of all United Nations bodies to implement the resolution and, pursuant to paragraph 21 of General Assembly resolution 47/147 of 18 December 1992, to provide the Special Rapporteur, within the overall budgetary framework of the United Nations, with additional resources and all other necessary assistance to enable him to fulfil his mandate and, in particular, to provide for the appointment of field staff in the territory of the former Yugoslavia to provide first-hand, timely reports on observance or violations of human rights in their area of assignment.

37. In paragraph 10 of resolution 1993/8, the Commission requested the Special Rapporteur to pursue a specific investigation of the rape and abuse of women and children in the former Yugoslavia, including the dispatch of a qualified team of experts, to coordinate with the relevant thematic special rapporteurs of the Commission, with the mission dispatched by the European Council and with any other missions and to present a further report to the Commission.

B. Relationship of requests to programme of work

38. The activities referred to above fall under programme 35, Promotion and protection of human rights, subprogramme 1, Implementation of international instruments and procedures, the objectives of and the strategy for which are described in paragraphs 35.11 to 35.19 of the medium-term plan for the period 1992-1997 (A/45/6/Rev.1).

39. The following programme component and activities of section 28 (Human rights) of the programme budget for the biennium 1992-1993 would be directly affected by the activities referred to in the resolutions:

Subprogramme 1. Implementation of international instruments and procedures

Activities: 1. International cooperation

- (a) Settlement of disputes, special missions, good offices, fact-finding, emergency and humanitarian relief services, legal services
- (i) Assisting special rapporteurs, representatives or other designees (thematic and country-oriented) dealing with human rights violations and investigations or fact-finding into reported situations and cases and reporting to the Commission on Human Rights or the General Assembly.

C. Activities by which the requests would be implemented

40. The Special Rapporteur will undertake six trips to Geneva, each for a period of five working days, in order to hold consultations at the Centre for Human Rights, to review documentation and other pertinent material, to meet representatives of Governments as well as intergovernmental and non-governmental organizations, to interview witnesses and to prepare his periodic reports to the Commission on Human Rights.

41. The Special Rapporteur will also carry out six missions to the territory of the former Yugoslavia, each for a duration of 10 days, accompanied by two staff members from the Centre for Human Rights and two interpreters. As in the past, he might request representatives of thematic mechanisms of the Commission or experts to accompany or represent him on such missions. In this connection six visits by medical or forensic experts (three at a time) to the territory of the former Yugoslavia in connection with specific types of alleged violations such as rape or extrajudicial executions (mass graves) would also be envisaged.

42. The Special Rapporteur will also travel an estimated three times to New York at the invitation of the Security Council or the General Assembly in order to present his reports to these organs.

43. The Special Rapporteur will further visit the Centre in February/March 1994 to present his report to the Commission.

44. In order to implement the field operation of the Special Rapporteur as envisaged in resolution 1993/7 it will be necessary to make provisions for travel and subsistence allowances for three Professional staff members, two to be placed in Zagreb and one in Belgrade. Provisions will also have to be made for the renting and operational expenses of adequate office space, for office supplies, one locally recruited secretary per office and communication and word processing equipment. Provisions for travel within the territory of the former Yugoslavia, for interpretation and translation services, language tuition for field officers and miscellaneous expenses of the operation are also necessary.

45. In connection with the field operation, six trips by a Professional officer assisting the Special Rapporteur in Geneva to the territory of the

former Yugoslavia are envisaged in order to reinforce the team of field officers or represent the Special Rapporteur on specific occasions as and when required.

46. During the preceding period of his mandate, the Special Rapporteur has been provided with five Professional posts to assist him in the fulfilment of the tasks entrusted to him. These five Professional posts have been extended through the end of 1993. It is envisaged that the Special Rapporteur will assign a maximum of three Professionals to serve in the field. A minimum of two Professional officers would remain with the Centre for Human Rights at Geneva. Since no General Service post has yet been made available, it will be necessary to provide the Special Rapporteur (in addition to the five Professional posts already available) with 18 work-months of General Service temporary assistance at Geneva and 22 work-months of General Service temporary assistance (to be recruited locally) for the envisaged field offices in Zagreb and Belgrade.

#### D. Additional requirements at full cost

47. The estimated full cost of the above programme of work is itemized as follows:

##### I. Section 28

1993                      1994  
(US dollars)

Six round trips to Geneva (5 in 1993, 1 in 1994) of the Special Rapporteur in order to hold consultations at the Centre for Human Rights (5 working days each)

|                        |        |       |
|------------------------|--------|-------|
| Travel and subsistence | 10 500 | 2 200 |
|------------------------|--------|-------|

Six missions of the Special Rapporteur to the territory of the former Yugoslavia (5 in 1993, 1 in 1994) accompanied by two staff members of the Centre for Human Rights and representatives of thematic mechanisms of the Commission or experts (10 working days each)

|                                                  |        |       |
|--------------------------------------------------|--------|-------|
| Travel and subsistence of the Special Rapporteur | 19 600 | 4 100 |
|--------------------------------------------------|--------|-------|

|                       |         |        |
|-----------------------|---------|--------|
| Rental of helicopters | 310 000 | 62 000 |
|-----------------------|---------|--------|

|                                                                                                     |        |       |
|-----------------------------------------------------------------------------------------------------|--------|-------|
| Travel and subsistence of representatives of thematic mechanisms/experts (on average 2 per mission) | 33 200 | 6 800 |
|-----------------------------------------------------------------------------------------------------|--------|-------|

|                                                  |        |       |
|--------------------------------------------------|--------|-------|
| Travel and subsistence of 2 substantive officers | 26 600 | 5 500 |
|--------------------------------------------------|--------|-------|

|                                                                                             |        |       |
|---------------------------------------------------------------------------------------------|--------|-------|
| General operating expenses: local transport, communications and rental of office facilities | 10 000 | 2 000 |
|---------------------------------------------------------------------------------------------|--------|-------|

1993      1994  
(US dollars)

Six missions by three medical or forensic experts to the territory of the former Yugoslavia, accompanied by one staff member from the Centre for Human Rights (5 in 1993, 1 in 1994) in connection with specific types of alleged violations (10 working days each)

|                                                                                             |        |        |
|---------------------------------------------------------------------------------------------|--------|--------|
| Consultancy of 3 experts                                                                    | 57 800 | 11 600 |
| Travel and subsistence of 3 experts                                                         | 54 500 | 11 500 |
| Travel and subsistence of 1 substantive officer                                             | 13 300 | 2 800  |
| General operating expenses: local transport, communications and rental of office facilities | 10 000 | 2 000  |

Three round trips to New York at the invitation of the Security Council or the General Assembly accompanied by one staff member from the Centre for Human Rights (1993) (5 working days each)

|                                                  |        |   |
|--------------------------------------------------|--------|---|
| Travel and subsistence of the Special Rapporteur | 12 600 | - |
| Travel and subsistence of 1 substantive officer  | 8 800  | - |

One round-trip to Geneva to present his report to the Commission in February/March 1994 (5 working days)

|                        |   |       |
|------------------------|---|-------|
| Travel and subsistence | - | 2 200 |
|------------------------|---|-------|

Six missions by a Professional from the Centre for Human Rights to the territory of the former Yugoslavia (5 in 1993, 1 in 1994) (10 working days each)

|                        |        |       |
|------------------------|--------|-------|
| Travel and subsistence | 13 300 | 2 800 |
|------------------------|--------|-------|

Implementation of field operations

|                                                                                                                                                     |         |        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------|--------|
| Travel and subsistence allowance for three Professional staff members, two in Zagreb and one in Belgrade (10 months in 1993, 2 months in 1994 each) | 105 600 | 26 700 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------|--------|

|                                                                                                                                    |        |       |
|------------------------------------------------------------------------------------------------------------------------------------|--------|-------|
| Rental and operational expenses of two offices (Zagreb and Belgrade), office supplies, communication and word processing equipment | 39 000 | 9 800 |
|------------------------------------------------------------------------------------------------------------------------------------|--------|-------|

|                                                                     |        |       |
|---------------------------------------------------------------------|--------|-------|
| Travel within the territory of the former Yugoslavia by field staff | 10 000 | 2 000 |
|---------------------------------------------------------------------|--------|-------|

|                                                                      | <u>1993</u>  | <u>1994</u> |
|----------------------------------------------------------------------|--------------|-------------|
|                                                                      | (US dollars) |             |
| Interpretation and translation services                              | 8 000        | 2 000       |
| Language tuition for field officers                                  | 2 000        | 500         |
| Miscellaneous expenses                                               | 30 000       | 8 000       |
| <u>General temporary assistance</u>                                  |              |             |
| 12 work-months at the P-4 level                                      | 103 600      | 20 800      |
| 36 work-months at the P-3 level                                      | 262 000      | 52 400      |
| 12 work-months at the P-2 level                                      | 69 500       | 13 900      |
| 22 work-months at the General Service level<br>(Zagreb and Belgrade) | 14 000       | 1 400       |
| 18 work-months at the General Service level<br>(Geneva)              | 89 100       | 25 400      |
|                                                                      | -----        | -----       |
| Total                                                                | 1 313 000    | 278 400     |
|                                                                      | =====        | =====       |

## II. Section 41

Six missions by two interpreters (5 in 1993 and 1 in 1994 to accompany the Special Rapporteur and medical/forensic experts to the territory of former Yugoslavia (10 working days each)

68 640 17 160

Translation of 500 pages of text (Serbo-Croatian)

80 000

Total

-----  
148 640 17 160  
=====

## E. Potential for absorption

48. The relevant costs to be financed under section 28 (Human rights) are estimated at \$1,313,000 for 1993 and \$278,400 for 1994.

49. Since the five additional Professional posts (which were specifically redeployed in 1992 to the Centre for Human Rights for the purpose of assisting the Special Rapporteur in carrying out his mission) have been extended for an additional year, no provisions for general temporary assistance at the Professional level would be required in this respect. Accordingly, the estimated full cost of the mandate (excluding general temporary assistance at the Professional level) would be \$877,900 and \$191,300 for 1993 and 1994, respectively.

50. It will be recalled that the General Assembly, by resolution 47/219 of 23 December 1992, took note of the revised estimates submitted by the Secretary-General in his report (A/C.5/47/71) in respect of the activities arising from the mandate entrusted to the Special Rapporteur for the situation of human rights in the territory of the former Yugoslavia. The additional resources approved for 1993 under section 28 (Human rights) of the programme budget amounted to \$603,500. Accordingly, the net additional resources required for the implementation of the activities to be undertaken by the Special Rapporteur are \$274,400 for 1993.

51. For 1993, the net additional resources are requested under the provisions governing the use of the contingency fund, which are outlined below. The requirements for 1994 will be considered in the context of the proposed programme budget for the biennium 1994-1995.

52. The relevant costs of two interpreters to accompany the Special Rapporteur, covering salary, travel and subsistence, are estimated at \$85,800. In addition, the cost of an estimated 500 pages of translation (Serbo-Croatian) is estimated at \$80,000. These costs would normally be financed under section 41 of the regular budget (Conference Services Division, Geneva).

#### F. Contingency fund

53. It will be recalled that, under the budget process approved by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under the same process, if additional expenditures are proposed that exceed resources available within the contingency fund, such additional expenditures can only be included in the budget through redeployment of resources from low priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred until a later biennium.

54. No activities are proposed for termination, deferral, curtailment or modification in the programme budget for the biennium 1992-1993, in order to provide additional resources for the work programme of the Centre for Human Rights and the Special Rapporteur concerning the situation of human rights in the territory of the former Yugoslavia. Therefore, should the additional expenditures associated with the activities of the Special Rapporteur exceed the level of resources available from the contingency fund, some of the activities to be undertaken in 1993 would have to be postponed, as provided for in the criteria governing the use of the contingency fund approved by the General Assembly in the annex to its resolution 42/211 of 21 December 1987.

#### G. Summary

55. As indicated above, an additional appropriation of \$274,400 would be required under section 28 (Human rights), of the approved programme budget for the biennium 1992-1993.

Resolution 1993/19. Monitoring the transition to  
democracy in South Africa

A. Request contained in the resolution

56. In resolution 1993/19, the Commission on Human Rights, taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1992/6 of 21 August 1992, recommended draft resolution II to the Economic and Social Council for adoption. In paragraph 3 of the draft resolution the Economic and Social Council would authorize the Sub-Commission to entrust Ms. Judith Sefi Attah with the task of presenting annually a report on the transition to democracy in South Africa, including: (a) steps taken in accordance with international human rights instruments to prevent violence between different groups in South Africa; (b) steps taken to investigate the alleged involvement of the South African security forces in fomenting violence and how this problem is being addressed; (c) steps taken to ensure equal political participation for all South Africans, including those removed under the apartheid system to the so-called homelands; (d) steps taken to ensure the enjoyment by all South Africans, without discrimination, of economic and social rights; and (e) an analysis of the obstacles preventing the democratization of South Africa and ways and means of eliminating them.

57. In paragraph 4 of draft resolution II, the Economic and Social Council would request the Secretary-General to extend to the Special Rapporteur all the assistance she may require in the exercise of her mandate.

B. Relationship of requests to programme of work

58. The activities referred to above fall under programme 35, Promotion and protection of human rights, subprogramme 4, Research, studies and standard setting, the objective of and the strategy for which are described in paragraphs 35.41 to 35.46 of the medium-term plan for the period 1992-1997 (A/45/6/Rev.1).

C. Activities by which the request would be implemented

59. In view of the extensive mandate covering various aspects of the transition process, the Special Rapporteur has requested the consultancy service of an international lawyer for a period of three months.

60. The Special Rapporteur would travel for consultations to the Centre for a period of five working days. The Special Rapporteur expressed the view that a visit to South Africa, in order to monitor in person the current process and make contacts with various lawyers of South African society, is a condition sine qua non. Therefore, the Special Rapporteur will travel from Lagos to Geneva for a first round of consultations. She will then proceed to New York for consultations with the Centre against Apartheid. The Special Rapporteur will travel onwards to Johannesburg for a period of 10 working days and return to Lagos, with a stopover in Geneva of another five working days to assess the visit to South Africa.

D. Additional requirements at full cost

61. The estimated cost of the above programme if work is itemized, as follows:

As of 1993 and each subsequent  
year until termination of the  
mandate

(US dollars)

Travel of the Special Rapporteur  
to Geneva to hold consultations  
at the Centre for Human Rights  
(5 working days)

Travel and subsistence 4 120

Travel of the Special Rapporteur  
to New York for consultations  
with the Centre against Apartheid

Travel and subsistence 4 400

Travel of the Special Rapporteur  
to Johannesburg to monitor  
transition to democracy  
(10 working days)

Travel and subsistence 4 716

Return travel of the Special Rapporteur  
to Lagos, with stopover in Geneva  
to assess visit to South Africa  
(5 working days)

Travel and subsistence 5 120

Consultancy of one lawyer

Three work-months at the P-3 equivalent level 26 200

Total 44 556

=====

E. Additional resources required

62. The relevant costs to be financed under section 28 (Human rights) are estimated at \$44,556 for 1993.

63. The additional resources of \$40,156 required for 1993 are requested under the provisions governing the use of the contingency fund which are outlined below. The requirements for 1994 onwards will be considered in the context of the proposed programme budget for the biennium 1994-1995.

#### F. Contingency fund

64. It will be recalled that, under the budget process approved by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under the same process, if additional expenditures are proposed that exceed resources available within the contingency fund, such additional expenditures can only be included in the budget through redeployment of resources from low priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred until a later biennium.

65. No activities are proposed for termination, deferral, curtailment or modification in the programme budget for the biennium 1992-1993, in order to provide additional resources for the work programme of the Centre for Human Rights and the Special Rapporteur concerning the transition to democracy in South Africa. Therefore, should the additional expenditures associated with the activities of the Special Rapporteur exceed the level of resources available from the contingency fund, some of the activities to be undertaken in 1993 would have to be postponed, as provided for in the criteria governing the use of the contingency fund approved by the General Assembly in the annex to its resolution 42/211 of 21 December 1987.

#### Resolution 1993/20. Measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance

##### A. Requests contained in the resolution

66. In paragraph 10 of resolution 1993/20, the Commission on Human Rights decided, in particular in the light of recent trends, to appoint, for a three-year period, a special rapporteur on contemporary forms of racism, racial discrimination and xenophobia and related intolerance, and requested the Special Rapporteur to report thereon to the Commission, on an annual basis, beginning at its fiftieth session. In paragraph 11 of the resolution, the Commission requested the Secretary-General to provide the Special Rapporteur with all necessary assistance required to carry out the mandate.

##### B. Relationship of requests to programme of work

67. The activities referred to above fall under programme 35, Promotion and protection of human rights, subprogramme 1, Implementation of international instruments and procedures, the objectives of and the strategy for which are described in paragraphs 35.10 to 35.18 of the medium-term plan for the period 1992-1997 (A/45/6/Rev.1).

68. The activities are included in the programme budget for the biennium 1992-1993 under the following programme element of section 28 (Human rights).

Subprogramme 1. Implementation of international instruments and procedures

Activities: 1. International cooperation

- (a) Settlement of disputes, special missions, good offices, fact-finding, emergency and humanitarian relief services, legal services
- (i) Assisting special rapporteurs, representatives or other designees (thematic and country-oriented) dealing with human rights violations and investigations or fact-finding into reported situations and cases and reporting to the Commission on Human Rights or the General Assembly.

C. Activities by which the requests would be implemented

69. During the course of each year of the mandate, the Special Rapporteur will undertake three trips to Geneva, each for a period of five working days, in order to hold consultations at the Centre for Human Rights, to review documentation and other pertinent material received, to consult with Governments and non-governmental organizations, and to prepare his report to the Commission on Human Rights. He will again visit the Centre in February/March of each year of the mandate to present his report to the Commission at its fiftieth, fifty-first and fifty-second sessions. The Special Rapporteur, accompanied by two staff members from the Centre, will undertake a maximum of nine field missions during the period 1993-1995.

70. Thirty work-months of temporary assistance at the P-3 level and at the General Service level would be required to assist the Special Rapporteur during his three-year mandate in the gathering of information, compilation and analysis of materials, as well as in the preparation and conduct of missions, and in the preparation of the reports to be submitted to the Commission on Human Rights.

D. Modifications required in the programme of work

71. The activity is included in the programme budget for the biennium 1992-1993, under subprogramme 1 of section 28.

E. Additional requirements at full cost

72. The estimated cost of the above programme of work is itemized as follows:

|                                                                                                                                                  | <u>1993</u> | <u>1994</u>  | <u>1995</u> | <u>1996</u> |
|--------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------|-------------|-------------|
|                                                                                                                                                  |             | (US dollars) |             |             |
| <u>Three round trips per annum to Geneva of the Special Rapporteur for consultations at the Centre for Human Rights</u><br>(5 working days each) |             |              |             |             |

|  | <u>1993</u> | <u>1994</u>  | <u>1995</u> | <u>1996</u> |
|--|-------------|--------------|-------------|-------------|
|  |             | (US dollars) |             |             |

Nine field missions of the Special Rapporteur accompanied by three staff members of the Centre for Human Rights (calculated on a notional basis for a period of 5 working days each)

|                                                                                                   |        |        |        |  |
|---------------------------------------------------------------------------------------------------|--------|--------|--------|--|
| Travel and subsistence of the Special Rapporteur                                                  | 17 700 | 17 900 | 18 100 |  |
| Travel and subsistence of 2 staff members                                                         | 28 500 | 28 500 | 28 500 |  |
| General operational expenses:<br>local transport,<br>communications and<br>rental of office space | 10 000 | 10 000 | 10 000 |  |

Three round trips to Geneva of the Special Rapporteur to present his reports to the Commission on Human Rights at its fiftieth, fifty-first and fifty-second sessions February/March 1994, February/March 1995, February/March 1996 (5 working days each)

|                        |       |       |       |  |
|------------------------|-------|-------|-------|--|
| Travel and subsistence | 4 200 | 4 500 | 4 700 |  |
|------------------------|-------|-------|-------|--|

General temporary assistance

|                                               |        |         |         |  |
|-----------------------------------------------|--------|---------|---------|--|
| 6 work-months for 1993                        |        |         |         |  |
| 24 work-months for 1994-1995 at the P-3 level | 52 400 | 104 800 | 104 800 |  |

|                                                           |        |        |        |  |
|-----------------------------------------------------------|--------|--------|--------|--|
| 6 work-months for 1993                                    |        |        |        |  |
| 18 work-months for 1994-1995 at the General Service level | 38 200 | 57 300 | 57 300 |  |

|       |         |         |         |       |
|-------|---------|---------|---------|-------|
| Total | 159 500 | 235 600 | 236 300 | 4 700 |
|       | =====   | =====   | =====   | ===== |

#### F. Additional resources required

73. The relevant costs to be financed under section 28 (Human rights) are estimated at \$159,500 for 1993, \$235,600 for 1994, \$236,300 for 1995 and \$4,700 for 1996.

74. The additional resources of \$159,500 required for the implementation of the activities to be undertaken by the Special Rapporteur in 1993 are requested under the provisions governing the use of the contingency fund, which are outlined below. The requirements for 1994 onwards will be considered in the context of the proposed programme budget for the relevant biennia.

75. Should the services of an interpreter be required during the field missions, the relevant costs covering salary, travel and subsistence are estimated at \$8,100 per mission or \$72,900 for all nine missions scheduled during the period 1993-1995. These costs would normally be financed under section 41 of the regular budget (Conference services).

#### G. Contingency fund

76. It will be recalled that, under the budget process approved by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under the same process, if additional expenditures are proposed that exceed resources available within the contingency fund, such additional expenditures can only be included in the budget through redeployment of resources from low priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred until a later biennium.

77. No activities are proposed for termination, deferral, curtailment or modification in the programme budget for the biennium 1992-1993, in order to provide additional resources for the work programme of the Centre for Human Rights and the Special Rapporteur on contemporary forms of racism, racial discrimination and xenophobia and related intolerance. Therefore, should the additional expenditures associated with the activities of the Special Rapporteur exceed the level of resources available from the contingency fund, some of the activities to be undertaken in 1993 would have to be postponed, as provided for in the criteria governing the use of the contingency fund approved by the General Assembly in the annex to its resolution 42/211 of 21 December 1987.

#### Resolution 1993/36. Question of arbitrary detention

##### A. Requests contained in the resolution

78. In paragraph 11 of resolution 1993/36, the Commission on Human Rights encouraged Governments to consider inviting the Working Group on Arbitrary Detention to their countries so as to enable the Group to discharge its protection mandate even more effectively and also to make concrete recommendations concerning the promotion of human rights. In paragraph 17 of the resolution, the Commission requested the Secretary-General to ensure that the Working Group received all the necessary assistance, particularly in

regard to staffing and appropriate resources to discharge its mandate, including the organization, carrying out and follow-up of missions in countries wishing to invite the Working Group.

79. It may be recalled that the Commission, at its forty-seventh session, adopted resolution 1991/42 entitled "Question of arbitrary detention". At the time of the adoption of that resolution, the Commission had before it a statement of administrative and programme budget implications, as reflected in the report of the Commission (E/CN.4/1991/91/Add.1, paras. 76-84). At that time the possibility that the Working Group might undertake field missions was not yet envisaged and was therefore not taken into consideration in the above-mentioned administrative and programme budget implications. The present statement of administrative and programme budget implications would be in addition to those provided for in relation to resolution 1991/42, in view of the fact that resolution 1993/36 would amplify the Group's mandate.

#### B. Relationship of requests to programme of work

80. The activity referred to above falls under programme 35, Promotion and protection of human rights, subprogramme 1, Implementation of international instruments and procedures, the objectives of and the strategy for which are described in paragraphs 35.11 to 35.19 of the medium-term plan for the period 1992-1997 (A/45/6/Rev.1).

81. The activity is included under the following programme element of section 28 (Human rights).

#### Subprogramme 1. Implementation of international instruments and procedures

##### Activities: 1. International cooperation

- (a) Settlement of disputes, special missions, good offices, fact-finding, emergency and humanitarian relief services, legal services
- (ii) Assisting ad hoc working groups set up to investigate and report on human rights problems in specific countries and territories, as well as on thematic situations.

#### C. Activities by which the requests would be implemented

82. The substantive servicing of the Working Group includes: the gathering and analysis of human rights materials related to alleged violations, as well as of pertinent legislation; the transmission of reports of situations, incidents and cases to Governments, as well as the correspondence with Governments, intergovernmental, non-governmental organizations and individuals related thereto; correspondence also involves the sending of circular notes verbales and letters to Governments and intergovernmental and non-governmental organizations; the preparation and servicing of three series of meetings per annum of the Working Group, as well as the preparation of voluminous documentation for those meetings; the organization of hearings of witnesses, the transcription of testimonies and the preparation of reports to the Commission on Human Rights. Throughout the year, extensive oral

consultations have to be held on behalf of the Working Group, on a regular basis, with representatives of interested Governments and non-governmental organizations.

83. The Working Group, composed of five experts, will meet in Geneva for a period of five working days in May/June 1993 to receive and examine information from Governments and intergovernmental and non-governmental organizations, as well as from individuals concerned, their families or their representatives, and to take the necessary decisions concerning the transmission of such information to Governments. The Working Group will meet again at Geneva in August/September 1993 for a period of five working days for the same purpose.

84. Finally, the working group will meet in Geneva in December 1993 for a period of eight working days to receive and examine information, as well as to consider and adopt its report for submission to the Commission at its fiftieth session.

85. In February/March 1994 the Chairman-Rapporteur will travel to Geneva to present the Working Group's report to the Commission at its fiftieth session.

86. Twelve work-months of general temporary assistance at the P-3 and General Service levels will be required to provide the Working Group with the necessary services for the substantive preparation and servicing of three annual sessions, screening of incoming reports, transmittal of cases approved by the Working Group to Governments and the connected correspondence; and to assist the Working Group in the preparation of its annual report to the Commission.

87. During 1993, the five experts who are members of the Working Group will undertake one field mission, accompanied by three substantive staff from the Centre for Human Rights and by at least four interpreters.

#### D. Additional requirements at full cost

88. The estimated cost of the above programme of work is itemized as follows:

##### I. Section 28

##### Extension of Working Group's mandate

|                                              | <u>1993</u>  | <u>1994</u> |
|----------------------------------------------|--------------|-------------|
|                                              | (US dollars) |             |
| <u>Two meetings at Geneva, May/June 1993</u> |              |             |
| <u>and August/September 1993</u>             |              |             |
| <u>(5 working days each)</u>                 |              |             |
| Travel and subsistence of five experts       | 50 000       |             |
| <u>Meeting at Geneva, December 1993</u>      |              |             |
| <u>(8 working days)</u>                      |              |             |
| Travel and subsistence of five experts       | 40 000       |             |

1993 1994  
(US dollars)

Travel and subsistence of the Chairman-Rapporteur to present the Working Group's reports to the Commission on Human Rights at its fiftieth session 5 000

Subscriptions to newspapers and periodicals 2 000

General temporary assistance

12 work-months at the P-3 level 104 800  
12 work-months at the General Service level 76 300

Subtotal I 273 100 5 000

II. Section 28

Field mission

One field mission by the Working Group accompanied by three staff members from the Centre for Human Rights in October/November 1993 (8 working days)

Travel and subsistence of five experts 37 800

Travel and subsistence of three staff members 15 300

General operating expenses: local transport, communications and rental of office space 10 000

Subtotal II 63 100

Total (Section 28) 336 200 5 000

III. Section 41

Travel of four interpreters to accompany the members of the Working Group and staff members of their field mission. October/November 1993 (8 working days)

Salary, travel and subsistence 36 600

#### E. Potential for absorption

89. The relevant costs to be financed under section 28 (Human rights) are estimated at \$336,200 for 1993 and \$5,000 for 1994.

90. It will be recalled that in its resolution 1991/42, entitled "Question of arbitrary detention", the Commission on Human Rights recommended, and the Economic and Social Council subsequently approved, the creation for a three-year period of a working group on this subject. At the time of the adoption of that resolution, the Commission had before it the related statement on administrative and programme budget implications concerning this new mandate, which was reproduced in the report on the forty-seventh session of the Commission (E/CN.4/1991/91/Add.1, paras. 76-84).

91. Under normal circumstances, no additional resources would be required under section 28 (Human rights) in connection with the implementation of the activities envisaged under resolution 1993/36, as this entails the extension of an already existing mandate. However, as indicated in paragraph 79 above, the undertaking of a field mission by the members of the Working Group in 1993 would constitute an expansion of the current mandate entrusted to the Working Group. Accordingly, the costs associated with such a field mission of \$63,100 (mentioned in section D (II) above) represent the net additional resources required in 1993 over and above the resources already allocated in the programme budget for 1992-1993 in connection with the activities of the Working Group.

92. The net additional resources of \$63,100 required for 1993 under section 28 (Human rights) are requested under the provisions governing the use of the contingency fund, which are outlined below. The requirements for 1994 will be considered in the context of the proposed programme budget for 1994-1995.

93. The relevant costs of four interpreters to accompany the members of the Working Group on their field mission, covering salary, travel and subsistence are estimated at \$36,600 for 1993. Their costs would normally be financed under section 41 (Conference Services Division, Geneva).

#### F. Contingency fund

94. It will be recalled that, under the budget process approved by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under the same process, if additional expenditures are proposed that exceed resources available within the contingency fund, such additional expenditures can only be included in the budget through redeployment of resources from low priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred until a later biennium.

95. No activities are proposed for termination, deferral, curtailment or modification in the programme budget for the biennium 1992-1993, in order to provide additional resources for the work programme of the Centre for Human Rights and the Working Group. Therefore, should the additional expenditures associated with the activities of the Working Group exceed the level of

resources available from the contingency fund, some of the activities to be undertaken in 1993 would have to be postponed, as provided for in the criteria governing the use of the contingency fund approved by the General Assembly in the annex to its resolution 42/211 of 21 December 1987.

Resolution 1993/45. Right to freedom of opinion and expression

A. Requests contained in the resolution

96. In paragraph 11 of resolution 1993/45, the Commission on Human Rights requested the Chairman of the Commission to appoint, for a period of three years, an individual of recognized international standing as special rapporteur on the promotion and protection of the right to freedom of opinion and expression. In paragraph 12, the Commission requested the Special Rapporteur to gather all relevant information of discrimination against and threats or use of violence and harassment, including persecution and intimidation, directed at persons seeking to exercise or to promote the exercise of the right to freedom of and expression of opinion, taking into account the work being conducted by other mechanisms of the Commission and Sub-Commission which touches on this right, with a view to avoiding duplication of work. In paragraph 13, the Commission also requested the Special Rapporteur, as a matter of high priority, to gather all relevant information, wherever it may occur, of discrimination against, threats or use of violence and harassment, including persecution and intimidation, against professionals in the field of information seeking to exercise or to promote the exercise of the right to freedom of opinion and expression. In paragraph 14, the Commission further requested the Special Rapporteur to seek and receive credible and reliable information from Governments, non-governmental organizations and any other parties who have knowledge of these cases. In paragraph 16, the Commission requested the Secretary-General to provide the Special Rapporteur with all necessary assistance to fulfil his or her mandate. In paragraph 18, the Commission requested the Special Rapporteur to submit to the Commission, beginning at its fiftieth session, a report covering the activities relating to his or her mandate.

B. Relationship of requests to programme of work

97. The activities referred to above fall under programme 35, Promotion and protection of human rights, subprogramme 1, Implementation of international instruments and procedures, the objectives of and the strategy for which are described in paragraphs 35.11 to 35.19 of the medium-term plan for the period 1992-1997 (A/45/6/Rev.1).

98. The following programme component and activities of section 28 (Human rights) of the programme budget for the biennium 1992-1993 would be directly affected by the activities referred to in the resolution:

Subprogramme 1. Implementation of international instruments and procedures

Activities: 1. International cooperation

- (a) Settlement of disputes, special missions, good offices, fact-finding, emergency and humanitarian relief services, legal services

- (i) Assisting special rapporteurs, representatives or other designees (thematic and country-oriented) dealing with human rights violations and investigations or fact-finding into reported situations and cases and reporting to the Commission on Human Rights or the General Assembly.

C. Activities by which the requests would be implemented

99. During the course of each year of the mandate, the Special Rapporteur will undertake three trips to Geneva, each for a period of five working days, in order to hold consultations at the Centre for Human Rights, to review documentation and other pertinent material received, to consult with Governments and non-governmental organizations, and to prepare his report to the Commission on Human Rights. He will visit the Centre in February/March of each year of the mandate to present his report to the Commission at its fiftieth, fifty-first and fifty-second sessions. The Special Rapporteur, accompanied by up to two staff members from the Centre for Human Rights, will undertake a maximum of nine field missions during the period 1993-1995.

100. Thirty-three work-months of temporary assistance at the P-3 level and 24 work-months at the General Service level will be required to assist the Special Rapporteur during his three-year mandate in the gathering of information, compilation and analysis of materials as well as in the preparation for and conduct of missions, and in the preparation of the reports to be submitted to the Commission on Human Rights.

D. Additional requirements at full cost

101. The estimated full cost of the above programme of work is itemized as follows:

|                                                                                                                                                                                                        | <u>1993</u> | <u>1994</u> | <u>1995</u>  | <u>1996</u> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|--------------|-------------|
|                                                                                                                                                                                                        |             |             | (US dollars) |             |
| <u>Three round trips per annum to Geneva of the Special Rapporteur for consultations at the Centre for Human Rights (5 working days each)</u>                                                          |             |             |              |             |
| Travel and subsistence                                                                                                                                                                                 | 17 800      | 19 000      | 19 000       |             |
| <u>Three field missions per annum of the Special Rapporteur accompanied by two staff members from the Centre for Human Rights (calculated on a notional basis for a period of 5 working days each)</u> |             |             |              |             |
| Travel and subsistence of the Special Rapporteur                                                                                                                                                       | 28 100      | 29 900      | 29 900       |             |

|                                                                                                 | <u>1993</u>  | <u>1994</u> | <u>1995</u> | <u>1996</u> |
|-------------------------------------------------------------------------------------------------|--------------|-------------|-------------|-------------|
|                                                                                                 | (US dollars) |             |             |             |
| Travel and subsistence<br>of two staff members                                                  | 29 100       | 30 900      | 30 900      |             |
| General operating expenses:<br>local transport,<br>communications and rental<br>of office space | 10 000       | 10 000      | 10 000      |             |

One round trip per annum, to Geneva  
of the Special Rapporteur to present  
his report to the Commission on  
Human Rights at its fiftieth,  
fifty-first and fifty-second sessions  
February/March 1994,  
February/March 1995  
February/March 1996  
(5 working days each)

|                        |  |       |       |       |
|------------------------|--|-------|-------|-------|
| Travel and subsistence |  | 6 300 | 6 300 | 6 300 |
|------------------------|--|-------|-------|-------|

General temporary assistance

|                                            |         |         |         |       |
|--------------------------------------------|---------|---------|---------|-------|
| 9 work-months for 1993<br>at P-3 level     |         |         |         |       |
| 24 work-months for 1994-1995               | 78 600  | 104 800 | 104 800 |       |
| 24 work-months at<br>General Service level | 50 900  | 50 900  | 50 900  |       |
|                                            | -----   | -----   | -----   | ----- |
| Total                                      | 214 500 | 251 800 | 251 800 | 6 300 |
|                                            | =====   | =====   | =====   | ===== |

E. Additional resources required

102. The relevant costs to be financed under section 28 (Human rights) are estimated at \$214,500 for 1993, \$251,800 for 1994, \$251,800 for 1995 and \$6,300 for 1996.

103. For 1993, the net additional resources are requested under the provisions governing the use of the contingency fund, which are outlined below. The requirements for 1994-1995 will be considered in the context of the proposed programme budget for that biennium.

104. Should the services of an interpreter be required during the field missions, salary, travel and subsistence costs are estimated at \$7,900 for each mission, or \$71,100 for all nine missions scheduled during the period 1993-1995. These costs would normally be financed under Section 41 of the regular budget (Conference Services Division, Geneva).

#### F. Contingency fund

105. It will be recalled that, under the budget process approved by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under the same process, if additional expenditures are proposed that exceed resources available within the contingency fund, such additional expenditures can only be included in the budget through redeployment of resources from low priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred until a later biennium.

106. No activities are proposed for termination, deferral, curtailment or modification in the programme budget for the biennium 1992-1993, in order to provide additional resources for the work programme of the Centre for Human Rights and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression. Therefore, should the additional expenditures associated with the activities of the Special Rapporteur exceed the level of resources available from the contingency fund, some of the activities to be undertaken in 1993 would have to be postponed, as provided for in the criteria governing the use of the contingency fund approved by the General Assembly in the annex to its resolution 42/211 of 21 December 1987.

#### Resolution 1993/60. Situation of human rights in the Sudan

##### A. Requests contained in the resolution

107. In paragraphs 3, 4, 5, 7 and 13 of resolution 1993/60, the Commission on Human Rights requested:

(a) The Chairman of the Commission, after consultations within the Bureau, to appoint an individual of recognized international standing and expertise in human rights as special rapporteur on the situation of human rights in the Sudan;

(b) The Special Rapporteur to establish direct contact with the Government and with the people of the Sudan and to investigate and report to the Commission at its fiftieth session on the situation of human rights in the Sudan, including any progress made there towards the full restoration of human rights and compliance with international human rights instruments and international humanitarian law;

(c) The Special Rapporteur to seek and receive credible and reliable information from Governments, non-governmental organizations and any other parties who have knowledge of these matters;

(d) The Secretary-General to give the Special Rapporteur all necessary assistance in the discharge of his mandate;

(e) The Special Rapporteur to report his findings and recommendations to the General Assembly at its forty-eighth session and to the Commission on Human Rights at its fiftieth session.

B. Relationship of requests to programme of work

108. The activities referred to above fall under programme 35, Promotion and protection of human rights, subprogramme 1, Implementation of international instruments and procedures, the objectives of and the strategy for which are described in paragraphs 35.11 to 35.19 of the medium-term plan for the period 1992-1997 (A/45/6/Rev.1).

109. The following programme component and activities of section 28 (Human rights) of the programme budget for the biennium 1992-1993 would be directly affected by the activities referred to in the resolution:

Subprogramme 1. Implementation of international instruments and procedures

Activities: 1. International cooperation

- (a) Settlement of disputes, special missions, good offices, fact-finding, emergency and humanitarian relief services, legal services
- (i) Assisting special rapporteurs, representatives or other designees (thematic and country-oriented) dealing with human rights violations and investigations or fact-finding into reported situations and cases and reporting to the Commission on Human Rights or the General Assembly.

Output: (Country-oriented rapporteur) Preparation and submission of a report by the Special Rapporteur to the General Assembly and the Commission on Human Rights respectively.

C. Activities by which the requests would be implemented

110. During 1993, the Special Rapporteur will undertake three trips to Geneva, each for a period of five working days, in order to hold consultations at the Centre for Human Rights, to review documentation and other pertinent material received, to interview witnesses and to prepare his reports to the General Assembly and to the Commission on Human Rights. He will travel to New York in November 1993 to present his report to the General Assembly. He will again visit the Centre in February/March 1994 to present his report to the Commission. The Special Rapporteur, accompanied by two staff members from the Centre for Human Rights, will carry out two field missions for a period of up to 10 working days each.

111. The substantive servicing of the Special Rapporteur includes the gathering and analysis of human rights materials related to alleged violations, as well as of pertinent legislation; the transmission of reported situations, incidents and cases to the Government of the Sudan, as well as correspondence with other Governments, intergovernmental and non-governmental organizations and individuals related thereto; the organization of hearings of witnesses, the transcription of testimonies and the preparation of reports to the Commission on Human Rights. Furthermore, in situ visits by the Special Rapporteur, with the participation of staff from the Centre, have to be prepared and carried out. Throughout the year, extensive oral consultations

have to be held on behalf of the Special Rapporteur, on a regular basis, with representatives of interested Governments and non-governmental organizations.

112. Eight work-months of temporary assistance at the P-3 level and four work-months at the General Service level will be required to assist the Special Rapporteur in the gathering of information, compilation and analysis of material and in the preparation and conduct of missions, as well as in the preparation of his reports to the General Assembly and the Commission on Human Rights.

D. Additional requirements at full cost

113. The estimated full cost of the above programme of work is itemized as follows:

I. Section 28

1993                      1994  
(US dollars)

Three round trips to Geneva of the Special Rapporteur for consultations at the Centre for Human Rights (5 working days each)

|                        |       |   |
|------------------------|-------|---|
| Travel and subsistence | 6 700 | - |
|------------------------|-------|---|

Two field missions of the Special Rapporteur accompanied by two staff members from the Centre for Human Rights  
1 mission in September 1993  
and 1 mission in December 1993  
or January 1994  
(10 working days each)

|                                                  |       |       |
|--------------------------------------------------|-------|-------|
| Travel and subsistence of the Special Rapporteur | 6 000 | 6 200 |
|--------------------------------------------------|-------|-------|

|                                             |        |        |
|---------------------------------------------|--------|--------|
| Travel and subsistence of two staff members | 11 600 | 12 200 |
|---------------------------------------------|--------|--------|

|                                                                                        |       |       |
|----------------------------------------------------------------------------------------|-------|-------|
| General operating expenses: local transport, communications and rental of office space | 1 000 | 1 000 |
|----------------------------------------------------------------------------------------|-------|-------|

One round trip to New York of the Special Rapporteur to present his report to the General Assembly  
November 1993 (5 working days)

|                        |       |   |
|------------------------|-------|---|
| Travel and subsistence | 4 500 | - |
|------------------------|-------|---|

1993      1994  
(US dollars)

One round trip to Geneva of the Special Rapporteur to present his report to the Commission on Human Rights February/March 1994 (5 working days)

|                        |   |       |
|------------------------|---|-------|
| Travel and subsistence | - | 2 300 |
|------------------------|---|-------|

General temporary assistance

|                                               |        |        |
|-----------------------------------------------|--------|--------|
| Eight work-months at the P-3 level            | 35 000 | 35 000 |
| Four work-months at the General Service level | 12 700 | 12 700 |
|                                               | -----  | -----  |
| Total I                                       | 77 500 | 69 400 |
|                                               | =====  | =====  |

II. Section 41

Two missions by two interpreters to accompany the Special Rapporteur and two staff members from the Centre for Human Rights, one mission in September 1993 and one mission in December 1993 or January 1994 (10 working days each)

|                                |        |        |
|--------------------------------|--------|--------|
| Salary, travel and subsistence | 22 400 | 22 400 |
|--------------------------------|--------|--------|

Translation of 300 pages of text (Arabic) into one language

|          |        |        |
|----------|--------|--------|
|          | 53 000 | -      |
|          | -----  | -----  |
| Total II | 75 400 | 22 400 |
|          | =====  | =====  |

E. Additional resources required

114. The relevant costs to be financed under section 28 (Human rights) are estimated at \$77,500 for 1993 and \$69,400 for 1994.

115. The additional resources of \$77,500 required for the implementation of the activities to be undertaken by the Special Rapporteur in 1993 are requested under the provisions governing the use of the contingency fund, which are outlined below. The requirements for 1994 will be considered in the context of the proposed programme budget for the 1994-1995 biennium.

116. The relevant costs of two interpreters to accompany the Special Rapporteur on his field mission covering salary, travel and subsistence costs are estimated at \$44,800. In addition, the cost of an estimated 300 pages of translation (Arabic), is estimated at \$53,000. These costs would normally be financed under section 41 of the regular budget (Conference Services Division, Geneva).

#### F. Contingency fund

117. It will be recalled that, under the budget process approved by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under the same process, if additional expenditures are proposed that exceed resources available within the contingency fund, such additional expenditures can only be included in the budget through redeployment of resources from low priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred until a later biennium.

118. No activities are proposed for termination, deferral, curtailment or modification in the programme budget for the biennium 1992-1993, in order to provide additional resources for the work programme of the Centre for Human Rights and the Special Rapporteur on the situation of human rights in the Sudan. Therefore, should the additional expenditures associated with the activities of the Special Rapporteur exceed the level of resources available from the contingency fund, some of the activities to be undertaken in 1993 would have to be postponed, as provided for in the criteria governing the use of the contingency fund approved by the General Assembly in the annex to its resolution 42/211 of 21 December 1987.

#### Resolution 1993/74. Situation of human rights in Iraq

##### A. Requests contained in the resolution

119. In paragraph 11 of resolution 1993/74, the Commission on Human Rights requested the Secretary-General, in consultation with the Special Rapporteur, to take the necessary measures in order to send human rights monitors to such locations as would facilitate improved information flows and assessment and would help in the independent verification of reports on the situation of human rights in Iraq.

120. In paragraph 12, the Commission decided to extend for a further year the mandate of the Special Rapporteur as contained in Commission resolutions 1991/74 and 1992/71.

121. In paragraph 13, the Commission urged the Government of Iraq to accord its full cooperation to the Special Rapporteur during his next mission to Iraq.

122. In paragraph 14, the Commission requested the Special Rapporteur to submit an interim report to the General Assembly at its forty-eighth session and a final report to the Commission at its fiftieth session.

123. In paragraph 15, the Commission requested the Secretary-General to provide appropriate additional resources, within existing overall United Nations resources, to fund the sending of human rights monitors to the area concerned.

124. In paragraph 16, the Commission requested the Secretary-General to provide the Special Rapporteur with all the necessary assistance to perform his task.

B. Relationship of requests to the programme of work

125. The activities referred to above fall under programme 35, Promotion and protection of human rights, subprogramme 1, Implementation of international instruments and procedures, the objectives of and strategy for which are described in paragraphs 35.11 to 35.19 of the medium-term plan for the period 1992-1997 (A/45/6/Rev.1).

126. The following programme component and activities of section 28 (Human rights) of the programme budget for the biennium 1992-1993 would be directly affected by the activities referred to in the resolution:

Subprogramme 1. Implementation of international instruments and procedures

Activities: 1. International cooperation

- (a) Settlement of disputes, special missions, good offices, fact-finding, emergency and humanitarian relief services, legal services
- (i) Assisting special rapporteurs, representatives or other designees (thematic and country-oriented) dealing with human rights violations and investigations or fact-finding into reported situations and cases and reporting to the Commission on Human Rights or the General Assembly.

C. Activities by which the requests would be implemented

127. The Special Rapporteur will undertake five trips to Geneva, each for a period of three working days, in order to hold consultations at the Centre for Human Rights, to review documentation and other pertinent material, to meet representatives of Governments as well as intergovernmental and non-governmental organizations, to interview witnesses and to prepare his reports to the General Assembly and the Commission on Human Rights.

128. The Special Rapporteur will also carry out one mission to Iraq for a duration of 14 days, accompanied by two staff members from the Centre for Human Rights and two interpreters. In this connection, he may seek to be accompanied by two forensic experts concerning specifically alleged violations of torture and extrajudicial executions (mass graves).

129. The Special Rapporteur will also travel two times to New York: once to consult with the Secretary-General on the modalities concerning the placement of human rights monitors and once at the invitation of the General Assembly in order to present his interim report to that organ. During these visits, it would also be likely that the Special Rapporteur would spend two days reviewing analyses being carried out on official Iraqi documents found in northern Iraq.

130. The Special Rapporteur will travel to Geneva in February/March 1994 to present his report to the Commission at its fiftieth session.

131. In order to implement the field operation of the Special Rapporteur as envisaged in the resolution, it will be necessary to make provisions, as an initial step, for travel and subsistence allowances for three Professional officers and one General Service staff member. While the placement of these field staff would depend upon the modalities established upon consultation with the Secretary-General, it may be envisaged, to begin with, that the staff would be based in Baghdad and conduct regular tours of the country, including the south and north of Iraq assuming the Government of Iraq would agree to such an arrangement. In the event of the Government's refusal, however, it may be envisaged that the staff would be based in Amman and would conduct regular tours of the region, particularly frontier areas. In either case, provision would have to be made for the rental and operational expenses of adequate office space, office supplies, one locally recruited secretary, and communications and word-processing equipment. Provision for travel in Iraq (should the Government agree), some interpretation and translation services, and miscellaneous expenses of the operation would also be necessary. In the case where the staff would be based in Amman, it may be envisaged that, over the six-month period from August 1993 through January 1994, six round-trips of approximately 10 days each through the region would be made by two field staff in order to collect information. In the light of the experience gained, and depending upon developments, staffing may have to be augmented.

132. Irrespective of where the field operation would be based, one trip to the region by the Special Rapporteur, accompanied by the Professional officer assisting him in Geneva, should be envisaged in order to allow the Special Rapporteur to review the field operation personally.

133. With respect to the staff servicing the Special Rapporteur, the normal 8 work-months of Professional assistance and 4 work-months of secretarial assistance would have to be augmented to 16 work-months of Professional assistance and 8 work-months of secretarial assistance in order to take into account coordination of the field operation and assessment of the increased information flow. As for the three Professional-level field officers, they would be recruited immediately upon approval by the Economic and Social Council of the Commission's resolution and would, therefore account for 24 work-months (three staff at eight work-months each). In addition, 8 work-months of general temporary assistance at the locally-recruited General Service level would be required to provide secretarial support to the field office, either in Baghdad or Amman.

#### D. Additional requirements at full cost

134. The estimated cost of the above programme of work is itemized as follows:

# I. Section 20

## Extension of previous mandate

|                                                                                                                                                                                                                                              | <u>1993</u>  | <u>1994</u> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------------|
|                                                                                                                                                                                                                                              | (US dollars) |             |
| <u>Five round trips to Geneva of the</u><br><u>Special Rapporteur for consultations</u><br><u>at the Centre for Human Rights</u><br><u>(3 working days each)</u>                                                                             |              |             |
| Travel and subsistence                                                                                                                                                                                                                       | 9 100        |             |
| <u>One field mission of the Special</u><br><u>Rapporteur to Iraq in 1993</u><br><u>accompanied by two staff members</u><br><u>from the Centre for Human Rights</u><br><u>and two experts on forensic science</u><br><u>(14 working days)</u> |              |             |
| Travel and subsistence of the<br>Special Rapporteur                                                                                                                                                                                          | 8 700        |             |
| Travel and subsistence of two<br>substantive officers                                                                                                                                                                                        | 26 400       |             |
| Consultancy, travel and subsistence<br>of two forensic experts                                                                                                                                                                               | 26 400       |             |
| General operating expenses: local<br>transport, communications and<br>rental of office facilities                                                                                                                                            | 10 000       |             |
| <u>One round trip to New York of the</u><br><u>Special Rapporteur in July 1993</u><br><u>for consultations with the</u><br><u>Secretary-General concerning</u><br><u>human rights monitors</u><br><u>(5 working days)</u>                    |              |             |
| Travel and subsistence                                                                                                                                                                                                                       | 5 100        |             |
| <u>One round trip to New York of the</u><br><u>Special Rapporteur to present his</u><br><u>report to the General Assembly,</u><br><u>November 1993 (5 working days)</u>                                                                      |              |             |
| Travel and subsistence                                                                                                                                                                                                                       | 5 100        |             |

1993                      1994  
(US dollars)

One round trip to Geneva of the  
Special Rapporteur to present his  
report to the Commission on Human  
Rights, February/March 1994  
(5 working days)

|                        |        |       |
|------------------------|--------|-------|
| Travel and subsistence | -      | 2 400 |
|                        | -----  | ----- |
| Subtotal I             | 90 800 | 2 400 |
|                        | -----  | ----- |

## II. Section 28

### Implementation of the field operation

Travel and subsistence allowance  
for three Professional staff  
members, in Baghdad or Amman  
(6 months in 1993, 2 months in  
1994, each)

|                                                                                                                                          |         |        |
|------------------------------------------------------------------------------------------------------------------------------------------|---------|--------|
| Salary                                                                                                                                   | 157 200 | 52 400 |
| Travel and subsistence                                                                                                                   | 134 100 | 47 700 |
|                                                                                                                                          |         |        |
| Rental and operational expenses of one<br>office (Baghdad or Amman), office<br>supplies, communications and<br>word-processing equipment | 50 000  | 10 000 |
|                                                                                                                                          |         |        |
| Travel within the territory of Iraq<br>by field staff                                                                                    | 10 000  | 2 000  |
|                                                                                                                                          |         |        |
| Travel around the region by field staff                                                                                                  | 10 000  | 2 000  |
|                                                                                                                                          |         |        |
| Interpretation and translation services                                                                                                  | 10 000  | 2 000  |
|                                                                                                                                          |         |        |
| Miscellaneous expenses                                                                                                                   | 30 000  | 10 000 |

1993      1994  
(US dollars)

One field mission of the Special Rapporteur, accompanied by one staff member from the Centre for Human Rights, in 1993, to review the field operation (14 working days)

|                                                                                             |        |   |
|---------------------------------------------------------------------------------------------|--------|---|
| Travel and subsistence of the Special Rapporteur                                            | 8 700  | - |
| Travel and subsistence of one substantive officer                                           | 13 200 | - |
| General operating expenses: local transport, communications and rental of office facilities | 10 000 | - |

General temporary assistance (Geneva)

|                                            |         |        |
|--------------------------------------------|---------|--------|
| 16 work-months at the P-3 level            | 104 800 | 34 900 |
| 8 work-months at the General Service level | 38 200  | 12 700 |

General temporary assistance (Baghdad or Amman)

|                                                                |         |         |
|----------------------------------------------------------------|---------|---------|
| 8 work-months at the P-3 level                                 | 52 400  | 17 500  |
| 16 work-months at the P-2 level                                | 83 400  | 27 800  |
| 8 work-months at the General Service level (locally recruited) | 6 000   | 2 000   |
| Subtotal II                                                    | 718 000 | 221 000 |
| Total (section 28)                                             | 808 800 | 223 400 |
|                                                                | =====   | =====   |

III. Section 41

Travel of two interpreters accompanying the Special Rapporteur in his field missions

|                                |        |
|--------------------------------|--------|
| Salary, travel and subsistence | 54 000 |
|--------------------------------|--------|

Translation of 200 pages of text (Arabic) into one language

35 000

Total III

89 000

=====

#### E. Potential for absorption

135. The relevant costs to be financed under section 28 (Human rights) are estimated at \$808,800 for 1993 and \$223,400 for 1994.

136. It will be recalled that by resolution 1991/74 of 6 March 1991, the Commission on Human Rights requested its Chairman to appoint a Special Rapporteur on this subject. At the time of the adoption of that resolution, the Commission had before it the related statement on administrative and programme budget implications concerning this new mandate, which was reproduced in the report of the Commission on its forty-seventh session (E/1991/22/Add.1 - E/CN.4/1991/91/Add.1, paras. 204-214).

137. Under normal circumstances, no additional resources would be required under section 28 (Human rights) as a result of the implementation of the activities envisaged in resolution 1993/74, as this entails the extension of an already existing mandate. However, as indicated above, the implementation of the field operation contemplated under the resolution would constitute an expansion of the current mandate entrusted to the Special Rapporteur. Accordingly, the costs associated with this operation of \$718,000 (mentioned in Section D.II above) represent the net additional resources required in 1993, over and above the resources already allocated in the programme budget for 1992-1993 in connection with the activities of the Special Rapporteur. These requirements, which have been estimated at full cost, might be modified in the light of the resources that could be made available from other United Nations entities in Iraq.

138. The net additional resources of \$718,000 required for 1993 under section 28 (Human rights) are requested under the provisions governing the use for the contingency fund, which are outlined below. The requirements for 1994 will be considered in the context of the proposed programme budget for 1994-1995.

139. The relevant costs of two interpreters to accompany the Special Rapporteur on his field missions, covering salary, travel and subsistence, are estimated at \$54,000. In addition, the cost of an estimated 200 pages of translation (Arabic), is estimated at \$35,000. These costs would normally be financed under section 41 (Conference Services Division, Geneva).

#### F. Contingency fund

140. It will be recalled that, under the budget process approved by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under the same process, if additional expenditures are proposed that exceed resources available within the contingency fund, such additional expenditures can only be included in the budget, through redeployment of resources from low priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred until a later biennium.

141. No activities are proposed for termination, deferral curtailment or modification in the programme budget for the biennium 1992-1993, in order to provide additional resources for the work programme of the Centre for Human

Rights and the Special Rapporteur on the situation of human rights in Iraq. Therefore, should the additional expenditures associated with the activities of the Special Rapporteur exceed the level of resources available from the contingency fund, some of the activities to be undertaken in 1993 would have to be postponed, as provided for in the criteria governing the use of the contingency fund approved by the General Assembly in the annex to its resolution 42/211 of 21 December 1987.

Resolution 1993/85. Assistance to Georgia in the field of human rights

A. Requests contained in the resolution

142. In paragraph 6 of resolution 1993/85, the Commission on Human Rights welcomed the interest expressed by the Government of Georgia for support and technical assistance in the field of human rights, including the drafting of legal instruments, constitutional provisions for persons belonging to minorities and assistance in national elections.

143. In paragraph 7, the Commission requested the Secretary-General to evaluate the needs for such support and technical assistance to the Government of Georgia through the provision of advisory services aimed at furthering legislation in constitutional and institutional matters and at providing national and local institutions with the necessary expertise to implement the international standards in the field of human rights, including the rights of persons belonging to minorities in close contact with the Government and the citizens of Georgia.

B. Relationship of requests to programme of work

144. The activities referred to above fall under programme 35, Promotion and protection of human rights, subprogramme 3, Advisory services and technical cooperation, the objectives of and the strategy for which are described in paragraphs 35.30 to 35.40 of the medium-term plan for the period 1992-1997 (A/45/6/Rev.1).

145. The following programme component and activities of section 28 (Human rights) of the approved programme budget for the biennium 1992-1993 would be directly affected by the activities referred to in the resolution:

Subprogramme 3. Advisory services and technical cooperation

Activities: 5. Operational activities

- (a) Advisory services on: implementation of international human rights standards and norms at the national level including specific human rights issues, such as electoral laws, constitutional reforms, elaboration of civil and criminal codes, the phenomenon of enforced or involuntary disappearances, torture, human rights education, reporting obligations.

C. Activities by which the requests would be implemented

146. An expert accompanied by a staff member from the Centre for Human Rights will undertake a needs assessment mission to Georgia for a period of five working days in 1993. The expert will travel through Geneva on his way to and from Georgia in order to hold consultations at the Centre for Human Rights and organize and plan his work.

147. Two experts, one with expertise in constitutional and institutional matters and another with expertise in international standards relating to the rights of persons belonging to minorities, will travel to Georgia for a period of 10 working days to provide advisory services. Both experts will also travel to Geneva before and after their mission to Georgia for consultations at the Centre for Human Rights.

148. Three work-months of general temporary assistance at the P-3 level and three work-months at the General Service level would be required to prepare and implement the above-mentioned project as a whole, including the provision of substantive and administrative services to the experts.

D. Additional requirements at full cost

149. The estimated cost of the above programme of work is itemized as follows:

1993  
(US dollars)

Travel of the expert to Georgia to conduct an assessment mission with a stopover in Geneva en route to and from Georgia for consultations at the Centre for Human Rights, 1993 (5 working days in Georgia and 3 working days in Geneva)

|                        |       |
|------------------------|-------|
| Travel and subsistence | 7 400 |
| Fees                   | 2 000 |

Travel of a staff member from the Centre for Human Rights to accompany the expert in his assessment mission to Georgia (5 working days)

|                        |       |
|------------------------|-------|
| Travel and subsistence | 3 900 |
|------------------------|-------|

One field mission to Georgia of two experts with a stopover in Geneva en route to and from Georgia (10 working days in Georgia, 3 working days in Geneva)

|                        |        |
|------------------------|--------|
| Travel and subsistence | 13 400 |
| Fees                   | 8 000  |

1993  
(US dollars)

General operating expenses:  
local transport, communication  
and freight of documents

4 000

General temporary assistance

Three work-months at the P-3 level 26 000

Three work-months at the General Service level 19 000

Total 83 700

=====

E. Additional resources required

150. The relevant costs to be financed under section 28 (Human rights) are estimated at \$83,700 for 1993.

151. The net additional resources of \$83,700 are requested under the provisions governing the use of the contingency fund, which are outlined below.

F. Contingency fund

152. It will be recalled that, under the budget process approved by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under the same process, if additional expenditures are proposed that exceed resources available within the contingency fund, such additional expenditures can only be included in the budget through redeployment of resources from low priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred until a later biennium.

153. No activities are proposed for termination, deferral, curtailment or modification in the programme budget for the biennium 1992-1993, in order to provide additional resources for the work programme of the Centre for Human Rights. Therefore, should the additional expenditures associated with the activities mentioned in the above paragraphs exceed the level of resources available from the contingency fund, some of the activities to be undertaken in 1993 would have to be postponed, as provided for in the criteria governing the use of the contingency fund approved by the General Assembly in the annex to its resolution 42/211 of 21 December 1987.

Resolution 1993/86. Assistance to Somalia in the field of human rights

A. Requests contained in the resolution

154. In paragraph 1 of resolution 1993/86, the Commission on Human Rights requested the Secretary-General to appoint for a period of one year an independent expert to assist the Special Representative of the

Secretary-General for Somalia through development of a long-term programme of advisory services for re-establishing human rights and the rule of law, including a democratic constitution, as well as the eventual holding of periodic and genuine elections.

155. In paragraph 2 of the resolution, the Commission requested the Secretary-General to give priority to implementing the programme recommended by the independent expert, including through the programme of advisory services of the Centre for Human Rights, in close cooperation with the Special Representative of the Secretary-General, United Nations entities in Somalia, as well as humanitarian and non-governmental organizations.

156. In paragraph 4 of the resolution, the Commission requested the Secretary-General to provide appropriate additional resources, within existing overall United Nations resources, to fund the activities of the independent expert and the Centre for Human Rights in implementing the resolution.

157. In paragraph 6 of the resolution, the Commission requested the independent expert to submit a report on the conditions in Somalia and the implementation of the resolution to the General Assembly at its forty-eighth session, to the Commission on Human Rights at its fiftieth session and, if needed, to the Economic and Social Council at its substantive session of 1994.

#### B. Relationship of requests to programme of work

158. The activities referred to above fall under programme 35, Promotion and protection of human rights, subprogramme 3, Advisory services and technical cooperation, the objectives of and the strategy for which are described in paragraphs 35.30 to 35.40 of the medium-term plan for the period 1992-1997 (A/45/6/Rev.1).

159. The following programme component and activities of section 28 (Human rights) of the approved programme budget for the biennium 1992-1993 would be directly affected by the activities referred to in the resolution:

#### Subprogramme 3. Advisory services and technical cooperation

##### Activities: 1. International cooperation

- (a) Special missions, good offices, fact-finding: assistance will be given to experts appointed by the Secretary-General at the request of the Commission on Human Rights to conduct missions combining fact-finding and good offices to assist Governments through direct contacts in implementing international human rights standards.

#### C. Activities by which the requests would be implemented

160. The independent expert will undertake a trip to Geneva for a period of three working days in August 1993 to hold consultations at the Centre for Human Rights and organize and plan his work in relation to his mandate. The independent expert, accompanied by two staff members from the Centre for Human Rights, will carry out one field mission to Somalia in 1993.

161. The independent expert will travel to Geneva for a period of five working days in September and December 1993 to prepare his reports to the General Assembly and to the Commission on Human Rights, respectively. The independent expert will also travel to New York during 1993 and to Geneva during February/March 1994 for a period of five working days to present his report to the General Assembly and the Commission on Human Rights, respectively.

162. Three work-months of general temporary assistance at the P-3 level and three work-months at the General Service level would be required to assist the independent expert in gathering information, compilation and analysis of material and assistance in the preparation for and conduct of missions, as well as in the preparation of his reports to the General Assembly and the Commission on Human Rights.

D. Additional requirements at full cost

163. The estimated cost of the above programme of work is itemized as follows:

|  | <u>1993</u>  | <u>1994</u> |
|--|--------------|-------------|
|  | (US dollars) |             |

One round trip to Geneva of the independent expert for consultations at the Centre for Human Rights, August 1993 (3 working days)

|                        |       |
|------------------------|-------|
| Travel and subsistence | 4 900 |
|------------------------|-------|

One field mission to Somalia of the independent expert, accompanied by two staff members from the Centre for Human Rights (10 working days)

|                                                  |       |
|--------------------------------------------------|-------|
| Travel and subsistence of the independent expert | 4 100 |
|--------------------------------------------------|-------|

|                                                                            |       |
|----------------------------------------------------------------------------|-------|
| Travel and subsistence of 2 staff members from the Centre for Human Rights | 6 500 |
|----------------------------------------------------------------------------|-------|

|                                                                                           |       |
|-------------------------------------------------------------------------------------------|-------|
| General operating expenses:<br>local transport, communication<br>and freight of documents | 4 000 |
|-------------------------------------------------------------------------------------------|-------|

1993 1994  
(US dollars)

Two round trips to Geneva of the independent expert to prepare his reports to the General Assembly and to the Commission on Human Rights in September and December 1993 (5 working days)

Travel and subsistence 10 600

One round trip to New York of the independent expert to present his report to the General Assembly in 1993 (5 working days)

Travel and subsistence 5 400

One round trip to Geneva of the independent expert to present his report to the Commission, February/March 1994 (5 working days)

Travel and subsistence 5 700

General temporary assistance

Three work-months at the P-3 level 26 000  
Three work-months at the General Service level 19 000

Total 80 500 5 700  
=====

E. Additional resources required

164. The relevant costs to be financed under section 28 (Human rights) are estimated at \$80,500 for 1993 and \$5,700 for 1994.

165. The net additional resources of \$80,500 are requested under the provisions governing the use of the contingency fund, which are outlined below. The requirements for 1994 will be considered in the context of the proposed programme budget for 1994-1995.

F. Contingency fund

166. It will be recalled that, under the budget process approved by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under the same process, if additional expenditures are proposed that exceed resources available within the contingency fund, such additional expenditures

can only be included in the budget through redeployment of resources from low priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred until a later biennium.

167. No activities are proposed for termination, deferral, curtailment or modification in the programme budget for the biennium 1992-1993, in order to provide additional resources for the work programme of the Centre for Human Rights and the independent expert. Therefore, should the additional expenditures associated with the activities mentioned in the above paragraphs exceed the level of resources available from the contingency fund, some of the activities to be undertaken in 1993 would have to be postponed, as provided for in the criteria governing the use of the contingency fund approved by the General Assembly in the annex to its resolution 42/211 of 21 December 1987.

Resolution 1993/95. Internally displaced persons

A. Requests contained in the resolution

168. In paragraph 4 of resolution 1993/95, the Commission on Human Rights requested the Secretary-General to mandate his representative for a period of two years to continue his work aimed at a better understanding of the general problems faced by internally displaced persons and their possible long-term solutions, with a view to identifying appropriate measures. In paragraph 5, the Commission encouraged the representative of the Secretary-General to intensify his dialogue with Governments and relevant international organizations. In paragraph 8, the Commission called upon all Governments to continue to facilitate the tasks and activities of the representative, including, where appropriate, through extending invitations for country visits. In paragraph 9, the Commission requested the representative of the Secretary-General to submit annual reports on his activities to the Commission on Human Rights and to the General Assembly and to make any suggestions and recommendations enabling him to better carry out his task and activities.

B. Relationship of requests to programme of work

169. The activities referred to above fall under programme 35, Promotion and protection of human rights, subprogramme 1, Implementation of international instruments and procedures, the objectives of and the strategy for which are described in paragraphs 35.11 to 35.19 of the medium-term plan for the period 1992-1997 (A/45/6/Rev.1).

170. The following programme component and activities of section 28 (Human rights) of the programme budget for the biennium 1992-1993 would be directly affected by the activities referred to in the resolution:

Subprogramme 1. Implementation of international instruments and procedures

Activities: 1. International cooperation

- (a) Settlement of disputes, special missions, good offices, fact-finding, emergency and humanitarian relief services, legal services

- (i) Assisting special rapporteurs, representatives or other designees (thematic and country-oriented) dealing with human rights violations and investigations or fact-finding into reported situations and cases and reporting to the Commission on Human Rights or the General Assembly.

C. Activities by which the requests would be implemented

171. During 1993, the representative of the Secretary-General will undertake three trips to Geneva, each for a period of five working days, in order to hold consultations at the Centre for Human Rights, to review documentation and other pertinent material received, to consult with Governments and intergovernmental and non-governmental organizations and to prepare his reports to the General Assembly and to the Commission on Human Rights. He will travel three times to New York in 1993 to consult with the Secretary-General and high-level Secretariat officials and to present his report to the General Assembly. He will again visit the Centre in February/March 1994 to present his report to the Commission. The representative of the Secretary-General, accompanied by two staff members from the Centre for Human Rights, will carry out three field missions for a period of up to eight working days each.

172. The substantive servicing of the representative includes the gathering and analysis of materials related to the protection of internally displaced persons as well as of pertinent legislation; the transmission of reported situations and incidents to Governments as well as correspondence and consultations with other Governments, intergovernmental and non-governmental organizations and individuals related thereto; and the preparation of reports to the General Assembly and the Commission on Human Rights. Furthermore, in situ visits by the representative of the Secretary-General, with the participation of staff from the Centre, have to be prepared and carried out. Throughout the year, extensive oral consultations have to be held on behalf of the representative, on a regular basis, with representatives of interested Governments and organizations.

173. Ten work-months of temporary assistance at the P-3 level and six work-months at the General Service level will be required to assist the representative of the Secretary-General in the gathering of information, compilation and analysis of material and in the preparation for and conduct of missions, as well as in the preparation of his reports to the General Assembly and the Commission on Human Rights.

D. Additional requirements at full cost

174. The estimated full cost of the above programme of work is itemized as follows:

I. Section 28

Existing mandate

1993 1994  
(US dollars)

Three round trips to Geneva of the representative for consultations at the Centre for Human Rights (5 working days each)

Travel and subsistence

17 800

Three round trips to New York of the representative to consult with the Secretary-General and to present his report to the General Assembly, November 1993 (5 working days each)

Travel and subsistence

11 500

One round trip to Geneva of the representative to present his report to the Commission on Human Rights, February/March 1994 (5 working days)

Travel and subsistence

6 300

General temporary assistance

10 work-months at the P-3 level

69 900

17 500

6 work-months at the General Service level

31 800

6 400

Subtotal I

131 000

30 200

II. Section 28

Field missions

Three field missions of the representative accompanied by two staff members from the Centre for Human Rights, and two interpreters during the period August 1993 to January 1994 (8 working days each)

Travel and subsistence of the representative

22 000

11 000

Travel and subsistence of two substantive officers

23 600

11 800

|                                                                                             | <u>1993</u>  | <u>1994</u> |
|---------------------------------------------------------------------------------------------|--------------|-------------|
|                                                                                             | (US dollars) |             |
| General operating expenses: local transport, communications and rental of office facilities | 4 000        | 2 000       |
|                                                                                             | -----        | -----       |
| Subtotal II                                                                                 | 49 600       | 24 800      |
|                                                                                             | -----        | -----       |
| Total I and II                                                                              | 180 600      | 55 000      |
|                                                                                             | =====        | =====       |

### III. Section 41

Travel of two interpreters to accompany the representative on his five field missions during the period August 1993 to January 1994 (8 working days each)

|                                                           |        |        |
|-----------------------------------------------------------|--------|--------|
| Salary, travel and subsistence                            | 38 600 | 19 300 |
| <u>Translation of 300 pages of text into one language</u> | 40 000 |        |
|                                                           | -----  | -----  |
| Total III                                                 | 78 600 | 19 300 |
|                                                           | =====  | =====  |

### E. Potential for absorption

175. The relevant costs to be financed under section 28 (Human rights) are estimated at \$180,600 for 1993 and \$55,000 for 1994.

176. It will be recalled that by resolution 1992/73 of 5 March 1992 the Commission on Human Rights requested the Secretary-General to designate a representative concerning the question of internally displaced persons.

177. Under normal circumstances, no additional resources would be required under section 28 (Human rights) in connection with the implementation of the activities envisaged under resolution 1993/95, as this entails the extension of an already existing mandate. However, at the time of the adoption of resolution 1992/73, the possibility that the representative of the Secretary-General would be requested to undertake field missions in order to monitor concrete situations was not envisaged. Accordingly, the undertaking of the field missions contemplated in the resolution would constitute an expansion of the current mandate entrusted to the representative of the Secretary-General. The costs associated with these activities of \$49,600 (mentioned in section II D above) represent the net additional resources required in 1993, over and above the resources already allocated in the programme budget for 1992-1993 in connection with the activities of the representative of the Secretary-General.

178. The net additional resources of \$49,600 required for 1993 under section 28 (Human rights) are requested under the provisions governing the use for the contingency fund, which are outlined below. The requirements for 1994 will be considered in the context of the proposed programme budget for 1994-1995.

179. The relevant costs of two interpreters to accompany the representative of the Secretary-General on his field mission, covering salary, travel and subsistence costs, are estimated at \$38,600 for 1993 and \$19,300 for 1994. In addition, the cost of translating 300 pages of text into one language is estimated at \$40,000. The costs to be incurred in 1993 would normally be financed under section 41 (Conference Services Division, Geneva). The requirements for 1994 will be considered in the context of the proposed programme budget for 1994-1995.

#### F. Contingency fund

180. It will be recalled that, under the budget process approved by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under the same process, if additional expenditures are proposed that exceed resources available within the contingency fund, such additional expenditures can only be included in the budget through redeployment of resources from low priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred until a later biennium.

181. No activities are proposed for termination, deferral, curtailment or modification in the programme budget for the biennium 1992-1993, in order to provide additional resources for the work programme of the Centre for Human Rights and the activities of the representative of the Secretary-General concerning the question of internally displaced persons. Therefore, should the additional expenditures associated with the activities of the representative of the Secretary-General exceed the level of resources available from the contingency fund, some of the activities to be undertaken in 1993 would have to be postponed, as provided for in the criteria governing the use of the contingency fund approved by the General Assembly in the annex to its resolution 42/211 of 21 December 1987.